

**Board of Massage Therapists
Goals and Objectives 2021**

Establishment Registration Program and Compliance Checks

In FY 2020 the Board will process the first applications of massage establishment registrations. This registration will provide an opportunity to investigative teams to address complaint driven concerns as compliance checks. The Board will work with Division's Investigations team to develop compliance check lists consistent with regulation to assist in on site establishment compliance checks.

STATE OF ALASKA 2021

HOLIDAY CALENDAR

State Holidays

Date	Holiday
01/01	New Year's Day
01/18	MLK Jr.'s Birthday
02/15	Presidents' Day
03/29	Seward's Day
05/31	Memorial Day
07/04	Independence Day (observed 7/5)
09/06	Labor Day
10/18	Alaska Day
11/11	Veterans' Day
11/25	Thanksgiving Day
12/25	Christmas Day (observed 12/24)
01/01/22	New Year's Day (observed 12/31/21)

Biweekly employees please refer to appropriate collective bargaining unit agreement for more information regarding holidays.

 Holiday



State calendar maintained by the
 Division of Finance,
 Department of Administration
<http://doa.alaska.gov/calendars.html>
 Revised 12/16/2019

JANUARY

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Office of Governor
MIKE DUNLEAVYYou are here: [Home](#) / [Services](#) / [Boards and Commissions](#) / Roster

Roster

Board of Massage Therapists

NAME	APPOINTED	REAPPOINTED	EXPIRES
Edwards-Smith, David (Soldotna) Licensed Massage Therapist — Chair	11/25/2014	03/01/2018	03/01/2022
Endle, Julie (Palmer) Public	01/22/2019		03/01/2021
Gilmour, Traci (Juneau) Licensed Massage Therapist	11/25/2014	03/01/2017	03/01/2021
Motz, Jill (Wasilla) Licensed Massage Therapist	01/23/2017	03/01/2018	03/01/2022
Tri, Kristin (Eagle River) Licensed Massage Therapist	03/02/2020		03/01/2024

[Board Fact Sheet](#)

**STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
BOARD OF MASSAGE THERAPISTS**

**June 14 - 15, 2021
Videoconference
State Office Building
333 Willoughby Ave., 9th Fl, Conference Room B
Juneau, AK**

In light of the current COVID-19 situation, no physical attendance will be accepted

ZOOM Meeting: <https://zoom.us/j/94700066285?pwd=b1ljc3prVEpvTUVORGJGMkRUaFkwQT09>

Call In: 253-215-8782

Meeting ID: 947 0006 6285

DRAFT MEETING AGENDA

Working Groups May Occur

Agenda:

- 1. 9:00 a.m.** June 14, 2021 Roll Call
- 2. 9:05 a.m.** Review Agenda
- 3. 9:10 a.m.** Ethics Disclosure
- 4. 9:30 a.m.** Investigations
 - A. Investigative Report
 - B. Investigative Memo
 - C. CE Audits
- 5. 10:00 a.m.** COVID-19 Update - Board Guidance
- 6. 10:15 a.m.** Application Process Review
 - A. Review Board Member Responsibility
 - B. Requirements of a Completed Application for Board Review
 - C. Transcript Analysis for Applicant Guidance
 - D. Notary Signature Requirements
 - E. Applicant Identification Requirement
- 7. 11:00 a.m.** Division and Financial Update
 - A. 3rd Quarter Board Report
 - B. Discuss legislative bills (SB15 & SB68)
- 8. 12:00 p.m.** Lunch
- 9. 1:15 p.m.** Public Comment

10. 1:45 p.m. FSMTB Annual Meeting - Charlotte NC
11. 2:00 p.m. Board Chair Meeting Review (Edwards-Smith)
12. 2:15 p.m. Board Training and Continuity
13. 3:15 p.m. Administrative Business
 - A. Review/approve March 2021 meeting minutes
 - B. Previous Meeting Task List
 - C. Correspondence
14. 4:00 p.m. Recess until June 15, 2021

ZOOM Meeting: <https://zoom.us/j/94700066285?pwd=b1ljc3prVEpvTUVORGJGMkRUaFkwQT09>

Call In: 253-215-8782

Meeting ID: 947 0006 6285

15. 10:00 a.m. June 15, 2021 Roll Call
16. 10:05 a.m. Tabled Applications Review
 - A. C.M.
 - B. R.H.
17. 10:35 a.m. Annual Report
 - A. Narrative Statement
 - B. Regulatory Recommendations
 - C. Proposed Legislative Recommendations
 - D. Goals & Objectives
 - E. Budget Recommendations
18. 12:00 p.m. Lunch
19. 1:00 p.m. Annual Report Continued
20. 2:30 p.m. Adjourn

State of Alaska Department of Law

Ethics Information for Members of Boards & Commissions (AS 39.52)

Introduction

This is an introduction to AS 39.52, the Alaska Executive Branch Ethics Act. This guide is not a substitute for reading the law and its regulations. State board and commission members who have further questions should contact their board chair or staff.

The Ethics Act applies to all current and former executive branch public employees and members of statutorily created boards and commissions.

Scope of Ethics Act (AS 39.52.110)

Service on a state board or commission is a public trust. The Ethics Act prohibits substantial and material conflicts of interest. Further, board or commission members, and their immediate family, may not improperly benefit, financially or personally, from their actions as board or commission members. The Act does not, however, discourage independent pursuits, and it recognizes that minor and inconsequential conflicts of interest are unavoidable.

Misuse of Official Position (AS 39.52.120)

Members of boards or commissions may not use their positions for personal gain or to give an unwarranted benefit or treatment to any person. For example, board members may not:

- use their official positions to secure employment or contracts;
 - accept compensation from anyone other than the State for performing official duties;
 - use State time, equipment, property or facilities for their own personal or financial benefit or for partisan political purposes;
 - take or withhold official action on a matter in which they have a personal or financial interest; or
 - coerce subordinates for their personal or financial benefit.
- attempt to influence outcome of an administrative hearing by privately contacting the hearing officer.



Terry knew that a proposal that was before the board would harm Terry's business competitor. Instead of publicly disclosing the matter and requesting recusal, Terry voted on the proposal.



Board member Mick has board staff employee Bob type an article for him that Mick hopes to sell to an Alaskan magazine. Bob types the article on State time.

Improper Gifts (AS 39.52.130)

A board member may not solicit or accept gifts if a person could reasonably infer from the circumstances that the gift is intended to influence the board member's action or judgment. "Gifts" include money, items of value, services, loans, travel, entertainment, hospitality, and employment. All gifts from registered lobbyists are presumed to be improper, unless the giver is immediate family of the person receiving the gift.

A gift worth more than \$150 to a board member or the board member's immediate family must be reported within 30 days if:

- the board member can take official action that can affect the giver, or
- the gift is given to the board member because he or she is on a state board.

The receipt of a gift worth less than \$150 may be prohibited if a person could reasonably infer from the circumstances that the gift is intended to influence the board member's action or judgment. Receipt of such a gift should be disclosed.

Any gift received from another government, regardless of value, must be reported; the board member will be advised as to the disposition of this gift.

A form for reporting gifts is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff.

This restriction on gifts does not apply to lawful campaign contributions.



The commission is reviewing Roy's proposal for an expansion of his business. Roy invites all the board members out to dinner at an expensive restaurant. He says it will be okay, since he isn't excluding any of the members.



Jody receives a holiday gift every year from Sam. Jody was recently appointed to a state board, but Sam has no business that is before the board. Jody may accept the gift.

Improper Use or Disclosure of Information (AS 39.52.140)

No former or current member of a board may use or disclose any information acquired from participation on the board if that use or disclosure could result in a financial or personal benefit to the board member (or immediate family), unless that information has already been disseminated to the public. Board members are also prohibited from disclosing confidential information, unless authorized to do so.



Sheila has been on the board for several years. She feels she has learned a great deal of general information about how to have a successful business venture. So she sets up her own business and does well.



Delores has always advised and assisted the other doctors in her clinic on their continuing education requirements. After Delores is appointed to the medical board, she discloses this role to the board and continues to advise the doctors in her clinic.



Jim reviews a confidential investigation report in a licensing matter. He discusses the practitioner's violation with a colleague who is not a board member.

Improper Influence in State Grants, Contracts, Leases or Loans (AS 39.52.150)

A board member, or immediate family, may not apply for, or have an interest in a State grant, contract, lease, or loan, if the board awards or takes action to administer the State grant, contract, lease, or loan.

A board member (or immediate family) may apply for or be a party to a competitively solicited State grant, contract or lease, if the board as a body does not award or administer the grant, contract, or lease and so long as the board member does not take official action regarding the grant, contract, or lease.

A board member (or immediate family) may apply for and receive a State loan that is generally available to the public and has fixed eligibility standards, so long as the board member does not take (or withhold) official action affecting the loan's award or administration.

Board members must report to the board chair any personal or financial interest (or that of immediate family) in a State grant, contract, lease or loan that is awarded or administered by the agency the board member serves. A form for this purpose is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff.



John sits on a board that awards state grants. John hasn't seen his daughter for nearly ten years so he figures that it doesn't matter when her grant application comes up before the board.



The board wants to contract out for an analysis of the board's decisions over the last ten years. Board member Kim would like the contract since she has been on the board for ten years and feels she could do a good job.

Improper Representation (AS 39.52.160)

A board or commission member may not represent, advise, or assist a person in matters pending before the board or commission for compensation. A nonsalaried board or commission member may represent, advise, or assist in matters in which the member has an interest that is regulated by the member's own board or commission, if the member acts in accordance with AS 39.52.220 by disclosing the involvement in writing and on the public record, and refraining from all participation and voting on the matter. This section does not allow a board member to engage in any conduct that would violate a different section of the Ethics Act.



Susan sits on the licensing board for her own profession. She will represent herself and her business partner in a licensing matter. She discloses this situation to the board and refrains from participation in the board's discussions and determinations regarding the matter.

Restriction on Employment After Leaving State Service (AS 39.52.180)

For two years after leaving a board, a former board member may not provide advice or work for compensation on any matter in which the former member personally and substantially participated while serving on the board. This prohibition applies to cases, proceedings, applications, contracts, legislative bills, regulations, and similar matters. This section does not prohibit a State agency from contracting directly with a former board member.

With the approval of the Attorney General, the board chair may waive the above prohibition if a determination is made that the public interest is not jeopardized.

Former members of the governing boards of public corporations and former members of boards and commissions that have regulation-adoption authority, except those covered by the centralized licensing provisions of AS 08.01, may not lobby for pay for one year.



The board has arranged for an extensive study of the effects of the Department's programs. Andy, a board member, did most of the liaison work with the contractor selected by the board, including some negotiations about the scope of the study. Andy quits the board and goes to work for the contractor, working on the study of the effects of the Department's programs.



Andy takes the job, but specifies that he will have to work on another project.

Aiding a Violation Prohibited (AS 39.52.190)

Aiding another public officer to violate the Ethics Act is prohibited.

Agency Policies (AS 39.52.920)

Subject to the Attorney General's review, a board may adopt additional written policies further limiting personal or financial interests of board members.

Disclosure Procedures

DECLARATION OF POTENTIAL VIOLATIONS BY MEMBERS OF BOARDS OR COMMISSIONS (AS 39.52.220)

A board member whose interests or activities could result in a violation of the Ethics Act if the member participates in board action must disclose the matter on the public record and in writing to the board chair who determines whether a violation exists. A form for this purpose is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff. If another board member objects to the chair's ruling or if the chair discloses a potential conflict, the board members at the meeting (excluding the involved member) vote on the matter. If the chair or the board determines a violation will occur, the member must refrain from deliberating, voting, or participating in the matter. For more information, see Ethics Act Procedures for Boards and Commissions available at the above noted web site.

When determining whether a board member's involvement in a matter may violate the Ethics Act, either the chair or the board or commission itself may request guidance from the Attorney General.

ATTORNEY GENERAL'S ADVICE (AS 39.52.240-250)

A board chair or a board itself may request a written advisory opinion from the Attorney General interpreting the Ethics Act. A former board member may also request a written advice from the Attorney General. These opinions are confidential. Versions of opinions without identifying information may be made available to the public.

REPORTS BY THIRD PARTIES (AS 39.52.230)

A third party may report a suspected violation of the Ethics Act by a board member in writing and under oath to the chair of a board or commission. The chair will give a copy to the board member and to the Attorney General and review the report to determine whether a violation may or does exist. If the chair determines a violation exists, the board member will be asked to refrain from deliberating, voting, or participating in the matter.

Complaints, Hearings, and Enforcement

COMPLAINTS (AS 39.52.310-330)

Any person may file a complaint with the Attorney General about the conduct of a current or former board member. Complaints must be written and signed under oath. The Attorney General may also initiate complaints based on information provided by a board. A copy of the complaint will be sent to the board member who is the subject of the complaint and to the Personnel Board.

All complaints are reviewed by the Attorney General. If the Attorney General determines that the complaint does not warrant investigation, the complainant and the board member will be notified of the dismissal. The Attorney General may refer a complaint to the board member's chair for resolution.

After investigation, the Attorney General may dismiss a complaint for lack of probable cause to believe a violation occurred or recommend corrective action. The complainant and board member will be promptly notified of this decision.

Alternatively, if probable cause exists, the Attorney General may initiate a formal proceeding by serving the board or commission member with an accusation alleging a violation of the Ethics Act. Complaints or accusations may also be resolved by settlement with the subject.

CONFIDENTIALITY (AS 39.52.340)

Complaints and investigations prior to formal proceedings are confidential. If the Attorney General finds evidence of probable criminal activity, the appropriate law enforcement agency shall be notified.

HEARINGS (AS 39.52.350-360)

An accusation by the Attorney General of an alleged violation may result in a hearing. An administrative law judge from the state's Office of Administrative Hearings serves as hearing officer and determines the time, place and other matters. The parties to the proceeding are the Attorney General, acting as prosecutor, and the accused public officer, who may be represented by an attorney. Within 30 days after the hearing, the hearing officer files a report with the Personnel Board and provides a copy to the parties.

PERSONNEL BOARD ACTION (AS 39.52.370)

The Personnel Board reviews the hearing officer's report and is responsible for determining whether a violation occurred and for imposing penalties. An appeal may be filed by the board member in the Superior Court.

PENALTIES (AS 39.52.410-460)

When the Personnel Board determines a board member has violated the Ethics Act, it will order the member to refrain from voting, deliberating, or participating in the matter. The Personnel Board may also order restitution and may recommend that the board member be removed from the board or commission. If a recommendation of removal is made, the appointing authority will immediately remove the member.

If the Personnel Board finds that a former board member violated the Ethics Act, it will issue a public statement about the case and will ask the Attorney General to pursue appropriate additional legal remedies.

State grants, contracts, and leases awarded in violation of the Ethics Act are voidable. Loans given in violation of the Ethics Act may be made immediately payable.

Fees, gifts, or compensation received in violation of the Ethics Act may be recovered by the Attorney General.

The Personnel Board may impose a fine of up to \$5,000 for each violation of the Ethics Act. In addition, a board member may be required to pay up to twice the financial benefit received in violation of the Ethics Act.

Criminal penalties are in addition to the civil penalties listed above.

DEFINITIONS (AS 39.52.960)

Please keep the following definitions in mind:

Benefit - anything that is to a person's advantage regardless financial interest or from which a person hopes to gain in any way.

Board or Commission - a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch, including the Alaska Railroad Corporation.

Designated Ethics Supervisor - the chair or acting chair of the board or commission for all board or commission members and for executive directors; for staff members, the executive director is the designated ethics supervisor.

Financial Interest - any property, ownership, management, professional, or private interest from which a board or commission member or the board or commission member's immediate family receives or expects to receive a financial benefit. Holding a position in a business, such as officer, director, partner, or employee, also creates a financial interest in a business.

Immediate Family - spouse; another person cohabiting with the person in a conjugal relationship that is not a legal marriage; a child, including a stepchild and an adoptive child; a parent, sibling, grandparent, aunt, or uncle of the person; and a parent or sibling of the person's spouse.

Official Action - advice, participation, or assistance, including, for example, a recommendation, decision, approval, disapproval, vote, or other similar action, including inaction, by a public officer.

Personal Interest - the interest or involvement of a board or commission member (or immediate family) in any organization or political party from which a person or organization receives a benefit.

For further information and disclosure forms, visit our Executive Branch Ethics web site or please contact:

State Ethics Attorney
Alaska Department of Law
1031 West 4th Avenue, Suite 200
Anchorage, Alaska 99501-5903
(907) 269-5100
attorney.general@alaska.gov

Revised 9/2013

Department of Law attorney.general@alaska.gov P.O. Box 110300, Juneau, AK 99811-0300
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State of Alaska Department of Law Ethics Act Procedures for Boards & Commissions

All board and commission members and staff should be familiar with the Executive Branch Ethics Act procedures outlined below.

Who Is My Designated Ethics Supervisor (DES)?

Every board or commission subject to the Ethics Act¹ has several ethics supervisors designated by statute.

- The chair serves as DES for board or commission members.
- The chair serves as DES for the executive director.
- The executive director serves as DES for the staff.
- The governor is the DES for a chair.²

What Do I Have To Disclose?

The Ethics Act requires members of boards and commissions to disclose:

- Any matter that is a potential conflict of interest with actions that the member may take when serving on the board or commission.
- Any circumstance that may result in a violation of the Ethics Act.
- Any personal or financial interest (or that of an immediate family member) in a state grant, contract, lease or loan that is awarded or administered by the member's board or commission.
- The receipt of certain gifts.

The executive director of the board or commission and its staff, as state employees, must also disclose:

- Compensated outside employment or services.
- Volunteer service, if any compensation, including travel and meals, is paid or there is a potential conflict with state duties.
- For more information regarding the types of matters that may result in violations of the Ethics Act, board or commission members should refer to the guide, *"Ethics Information for Members of Boards and Commissions."* The executive director and staff should refer to the guide, *"Ethics Information for Public Employees."* Both guides and disclosure forms may be found on the Department of Law's ethics website.

How Do I Avoid Violations of the Ethics Act?

- Make timely disclosures!
- Follow required procedures!
- Provide all information necessary to a correct evaluation of the matter!³
- When in doubt, disclose and seek advice!
- Follow the advice of your DES!

What Are The Disclosure Procedures for Board and Commission Members?

The procedural requirements for disclosures by members are set out in AS 39.52.220 and 9 AAC 52.120. One goal of these provisions is to help members avoid violations of the Ethics Act. The procedures provide the opportunity for members to seek review of matters in advance of taking action to ensure that actions taken will be consistent with the Act.

Procedure for declaring actual or potential conflicts.

Members must declare potential conflicts and other matters that may violate the Ethics Act **on the public record and in writing to the chair.**

Disclosure on the public record. Members must identify actual and potential conflicts orally at the board or commission's public meeting **in advance** of participating in deliberations or taking any official action on the matter.

- A member must always declare a conflict and may choose to refrain from voting, deliberations or other participation regarding a matter.⁴
- If a member is uncertain whether participation would result in a violation of the Act, the member should disclose the circumstances and seek a determination from the chair.

Disclosure in writing at a public meeting. In addition to an oral disclosure at a board or commission meeting, members' disclosures must be made in writing.

- If the meeting is recorded, a tape or transcript of the meeting is preserved **and** there is a method for identifying the declaration in the record, an oral disclosure may serve as the written disclosure.
- Alternatively, the member must note the disclosure on the Notice of Potential Violation disclosure form and the chair must record the determination.

Confidential disclosure in advance of public meeting. Potential conflicts may be partially addressed in advance of a board or commission's public meeting based on the published meeting agenda or other board or commission activity.

- A member identifying a conflict or potential conflict submits a Notice of Potential Violation to the chair, as DES, in advance of the public meeting.
- This written disclosure is considered confidential.
- The chair may seek advice from the Attorney General.
- The chair makes a written determination, also confidential, whether the disclosed matter represents a conflict that will result in a violation of the Ethics Act if the member participates in official action addressing the matter. 5
- If so, the chair directs the member to refrain from participating in the matter that is the subject of the disclosure.
- An oral report of the notice of potential violation and the determination that the member must refrain from participating is put on the record at a public meeting.6

Determinations at the public meeting. When a potential conflict is declared by a member for the public record, the following procedure must be followed:

- The chair states his or her determination regarding whether the member may participate.
- Any member may then object to the chair's determination.
- If an objection is made, the members present, excluding the member who made the disclosure, vote on the matter.
- *Exception:* A chair's determination that is made consistent with advice provided by the Attorney General may not be overruled.
- If the chair, or the members by majority vote, determines that a violation will exist if the disclosing member continues to participate, the member must refrain from voting, deliberating or participating in the matter.7

If the chair identifies a potential conflict, the same procedures are followed. If possible, the chair should forward a confidential written notice of potential violation to the Office of the Governor for a determination in advance of the board or commission meeting. If the declaration is first made at the public meeting during which the matter will be addressed, the members present, except for the chair, vote on the matter. If a majority determines that a violation of the Ethics Act will occur if the chair continues to participate, the chair shall refrain from voting, deliberating or participating in the matter. A written disclosure or copy of the public record regarding the oral disclosure should be forwarded to the Office of the Governor for review by the chair's DES.

Procedures for Other Member Disclosures

A member's interest in a state grant, contract, lease or loan and receipt of gifts are disclosed by filling out the appropriate disclosure form and submitting the form to the chair for approval. The disclosure forms are found on the Department of Law's ethics website.

What Are The Disclosure Procedures for Executive Directors and Staff?

Ethics disclosures of the executive director or staff are made in writing to the appropriate DES (chair for the executive director and the executive director for staff).

- Disclosure forms are found on the ethics website, noted above.

Notices of Potential Violations. Following receipt of a written notice of potential violation, the DES investigates, if necessary, and makes a written determination whether a violation of the Ethics Act could exist or will occur. A DES may seek advice from the Attorney General. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

- These disclosures are not required to be made part of the public record.
- A copy of a determination is provided to the employee.
- Both the notice and determination are confidential.

Other Disclosures. The DES also reviews other ethics disclosures and either approves them or determines what action must be taken to avoid a violation of the Act. In addition to the disclosures of certain gifts and interests in the listed state matters, state employees must disclose all outside employment or services for compensation.

- The DES must provide a copy of an approved disclosure or other determination the employee.

How Are Third Party Reports of Potential Violations or Complaints Handled?

Any person may report a potential violation of the Ethics Act by a board or commission member or its staff to the appropriate DES or file a complaint alleging actual violations with the Attorney General.

- Notices of potential violations and complaints must be submitted **in writing** and **under oath**.

- Notices of potential violations are investigated by the appropriate DES who makes a written determination whether a violation may exist.⁸
- Complaints are addressed by the Attorney General under separate procedures outlined in the Ethics Act.
- **These matters are confidential**, unless the subject waives confidentiality or the matter results in a public accusation.

What Are The Procedures for Quarterly Reports?

Designated ethics supervisors must submit copies of notices of potential violations received and the corresponding determinations to the Attorney General for review by the state ethics attorney as part of the quarterly report required by the Ethics Act.

- Reports are due in April, July, October and January for the preceding quarter.
- A sample report may be found on the Department of Law's ethics website.
- An executive director may file a quarterly report on behalf of the chair and combine it with his or her own report.
- If a board or commission does not meet during a quarter and there is no other reportable activity, the DES advises the Department of Law Ethics Attorney by e-mail at ethicsreporting@alaska.gov and no other report is required.

If the state ethics attorney disagrees with a reported determination, the attorney will advise the DES of that finding. If the ethics attorney finds that there was a violation, the member who committed the violation is not liable if he or she fully disclosed all relevant facts reasonably necessary to the ethics supervisor's or commission's determination and acted consistent with the determination.

How Does A DES or Board or Commission Get Ethics Advice?

A DES or board or commission may make a **written request** to the Attorney General for an opinion regarding the application of the Ethics Act. In practice, the Attorney General, through the state ethics attorney, also provides **advice by phone or e-mail** to designated ethics supervisors, especially when time constraints prevent the preparation of timely written opinions.

- A request for advice and the advisory opinion are confidential.
- The ethics attorney endeavors to provide prompt assistance, although that may not always be possible.
- The DES must make his or her determination addressing the potential violation based on the opinion provided.

It is the obligation of each board or commission member, as well as the staff, to ensure that the public's business is conducted in a manner that is consistent with the standards set out in the Ethics Act. We hope this summary assists you in ensuring that your obligations are met.

1 The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government.

2 The governor has delegated the DES responsibility to Guy Bell, Administrative Director of the Office of the Governor.

3 You may supplement the disclosure form with other written explanation as necessary. Your signature on a disclosure certifies that, to the best of your knowledge, the statements made are true, correct and complete. False statements are punishable.

4 In most, but not all, situations, refraining from participation ensures that a violation of the Ethics Act does not occur. Abstention does not cure a conflict with respect to a significant direct personal or financial interest in a state grant, contract, lease or loan because the Ethics Act prohibition applies whether or not the public officer actually takes official action.

5 The chair must give a copy of the written determination to the disclosing member. There is a determination form available on the Department of Law's ethics web page. The ethics supervisor may also write a separate memorandum.

6 In this manner, a member's detailed personal and financial information may be protected from public disclosure.

7 When a matter of particular sensitivity is raised and the ramifications of continuing without an advisory opinion from the Attorney General may affect the validity of the board or commission's action, the members should consider tabling the matter so that an opinion may be obtained.

8 The DES provides a copy of the notice to the employee who is the subject of the notice and may seek input from the employee, his or her supervisor and others. The DES may seek advice from the Attorney General. A copy of the DES' written determination is provided to the subject employee and the complaining party. The DES submits a copy of both the notice and the determination to the Attorney General for review as part of the DES' quarterly report. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

6/14

Department of Law attorney.general@alaska.gov P.O. Box 110300, Juneau, AK 99811-0300
 Phone: 907-465-3600 Fax: 907-465-2075 TTY: 907-258-9161
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Ethics Disclosure Form

CONFIDENTIAL REQUEST FOR ETHICS DETERMINATION

TO: _____, Designated Ethics Supervisor

(Identify Your Department, Agency, Public Corporation, Board, Commission)

I request advice regarding the application of the Executive Branch Ethics Act (AS 39.52.010 - .960) to my situation. The situation involves the following:

I have provided additional information in the attached document(s).

I believe the following provisions of the Ethics Act may apply to my situation:

- AS 39.52.120, Misuse of Official Position
- AS 39.52.130, Improper Gifts
- AS 39.52.140, Improper Use or Disclosure of Information
- AS 39.52.150, Improper Influence in State Grants, Contracts, Leases or Loans
- AS 39.52.160, Improper Representation
- AS 39.52.170, Outside Employment Restricted
- AS 39.52.180, Restrictions on Employment after Leaving State Service
- AS 39.52.190, Aiding a Violation Prohibited

I understand that I should refrain from taking any official action relating to this matter until I receive your advice. If the circumstances I described above may result in a violation of AS 39.52.110 - .190, I intend that this request serve as my disclosure of the matter in accordance with AS 39.52.210 or AS 39.52.220.

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature)

(Date)

(Printed Name)

(Division, Board, Commission)

(Position Title)

(Location)

Designated Ethics Supervisor: Provide a copy of your written determination to the employee advising whether action is necessary under AS 39.52.210 or AS 39.52.220, and send a copy of the determination and disclosure to the attorney general with your quarterly report.

Ethics Disclosure Form

Receipt of Gift

TO: _____, Designated Ethics Supervisor, _____
(Agency, Public Corporation, Board, Commission or Council)

This disclosure reports receipt of a gift with value in excess of \$150.00 by me or my immediate family member, as required by AS 39.52.130(b) or (f).

- 1. Is the gift connected to my position as a state officer, employee or member of a state board or commission?
 Yes No
- 2. Can I take or withhold official action that may affect the person or entity that gave me the gift?
 Yes No

(If you answer "No" to both questions, you do not need to report this gift. If the answer to either question is "Yes," or if you are not sure, you must complete this form and provide it to your designated ethics supervisor.)

The gift is _____

Identify gift giver by full name, title, and organization or relationship, if any:

Describe event or occasion when gift was received or other circumstance explaining the reason for the gift:

My estimate of its value is \$ _____ The date of receipt was _____

The gift was received by a member of my family. Who? _____

If you checked "Yes" to question 2 above, explain the official action you may take that affects the giver (attach additional page, if necessary):

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature)

(Date)

(Printed Name)

(Division)

(Position Title)

(Location)

Ethics Supervisor Determination: Approve Disapproved

Designated Ethics Supervisor*

(Date)

**Designated Ethics Supervisor: Provide a copy of the approval or disapproval to the employee. If action is necessary under AS 39.52.210 or AS 39.52.220, attach a determination stating the reasons and send a copy of the determination and disclosure to the attorney general with your quarterly report.*

EXECUTIVE SESSION MOTION

I, _____, move that the Alaska State Board of Massage Therapists enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing _____

Board staff to remain during the session.

Off record: _____

On record: _____

Authority: AS 44.62.310(c), Government meetings public

The following subjects may be considered in executive session:

- 1. matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;**
- 2. subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;**
- 3. matters which by law, municipal charter, or ordinance are required to be confidential;**
- 4. matters involving consideration of government records that by law are not subject to public disclosure.**



MEMORANDUM

DATE: June 04, 2021
TO: Board of Massage Therapists
THRU: Greg Francois, Chief Investigator
FROM: Shauna Muraco, Investigator
RE: Investigative Report for the June 14, 2021 Meeting

The following information was compiled as an investigative report to the Board for the period of February 23, 2021 thru June 04, 2021; this report includes cases, complaints, and intake matters handled since the last report.

Matters opened by the Paralegals in Anchorage and Juneau, regarding continuing education audits and license action resulting from those matters are covered in this report.

OPEN - 16

<u>Case Number</u>	<u>Violation Type</u>	<u>Case Status</u>	<u>Status Date</u>
MASSAGE THERAPIST			
2021-000322	License application problem	Intake	04/20/2021
2019-001329	Criminal action - conviction	Complaint	04/15/2020
2020-000060	Unlicensed practice or activity	Complaint	03/31/2020
2020-000170	Unlicensed practice or activity	Complaint	04/14/2020
2020-000254	Unlicensed practice or activity	Complaint	04/17/2020
2020-001022	Unethical conduct	Complaint	12/16/2020
2020-001132	Unlicensed practice or activity	Complaint	01/19/2021
2021-000009	License application problem	Complaint	01/11/2021
2019-000887	Unlicensed practice or activity	Investigation	02/17/2021
2019-001067	Unlicensed practice or activity	Investigation	06/23/2020

2019-001328	Unlicensed practice or activity	Investigation	05/13/2020
2020-000696	Continuing education	Investigation	07/20/2020
2020-000764	Fraud or misrepresentation	Investigation	11/19/2020
2021-000191	Continuing education	Investigation	03/08/2021
2021-000192	Continuing education	Investigation	03/08/2021
2021-000434	Continuing education	Investigation	05/24/2021

Closed - 7

<u>Case #</u>	<u>Violation Type</u>	<u>Case Status</u>	<u>Closed</u>	<u>Closure</u>
MESSAGE THERAPIST				
2021-000001	Unlicensed practice or activity	Closed-Intake	02/23/2021	Incomplete Complaint
2021-000274	Sexual misconduct	Closed-Intake	05/07/2021	Incomplete Complaint
2020-001038	Continuing education	Closed-Complaint	03/09/2021	No Action - No Violation
2019-001101	Continuing education	Closed-Investigation	03/25/2021	License Action
2020-000697	Continuing education	Closed-Investigation	03/23/2021	No Action - No Violation
2020-001030	Continuing education	Closed-Investigation	03/25/2021	License Action
2020-001031	Continuing education	Closed-Investigation	03/25/2021	License Action

END OF REPORT



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

BOARD OF MASSAGE THERAPISTS
P.O. Box 110806
Juneau, Alaska 99811-0806
Main: 907.465.2550
Fax: 907.465.2974

May 19, 2021

Therapists,

As vaccinations for COVID-19 have reached large populations across the US, recommendations from the CDC continue to evolve over time. Recently the CDC has reported that fully vaccinated individuals can be indoors, without masks, without fear of spreading coronavirus. While this is a long-awaited moment, this recommendation has been made for private individuals.

There remains in place the CDC recommendation for all healthcare providers to continue to use appropriate PPE when providing care. While there is a wide range of interpretation as to what level of PPE is required for different levels of providers, the Alaska Board of Massage Therapists understands that masking is the first line of prevention as the COVID-19 pandemic continues.

We urge every therapist to keep themselves educated and up to date on current recommendations and safety protocols as we continue to navigate this pandemic together.

Respectfully,
David Edwards-Smith, Chairperson
Board of Massage Therapists

Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

Summary of All Professional Licensing
Schedule of Revenues and Expenditures

Board of Massage Therapists	FY 14	FY 15	Biennium	FY 16	FY 17	Biennium	FY 18	FY 19	Biennium	FY 21		
										FY 20	1st - 3rd QTR	
Revenue												
Revenue from License Fees	\$ -	\$ 660	\$ 660	\$ 586,230	\$ 228,015	\$ 814,245	\$ 346,505	\$ 89,770	\$ 436,275	\$ 350,267	\$ 51,605	
Allowable Third Party Reimbursements	-	-	-	-	-	-	1,161	1,791	2,952	860	-	
TOTAL REVENUE	\$ -	\$ 660	\$ 660	\$ 586,230	\$ 228,015	\$ 814,245	\$ 347,666	\$ 91,561	\$ 439,227	\$ 351,127	\$ 51,605	
Expenditures												
Non Investigation Expenditures												
1000 - Personal Services	-	33,797	33,797	105,007	39,319	144,326	57,585	84,174	141,759	97,519	71,669	
2000 - Travel	-	6,585	6,585	17,726	10,216	27,942	9,646	10,277	19,923	5,437	-	
3000 - Services	-	12,627	12,627	52,528	34,055	86,583	96,155	60,787	156,942	14,143	6,421	
4000 - Commodities	-	274	274	13	155	168	70	25	95	-	-	
5000 - Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	
Total Non-Investigation Expenditures	-	53,283	53,283	175,274	83,745	259,019	163,456	155,263	318,719	117,099	78,090	
Investigation Expenditures												
1000-Personal Services	-	879	879	11,039	36,787	47,826	93,529	63,771	157,300	66,128	57,561	
2000 - Travel	-	-	-	-	-	-	-	-	-	(707)	-	
3023 - Expert Witness	-	-	-	-	-	-	-	-	-	-	150	
3088 - Inter-Agency Legal	-	-	-	-	14,761	14,761	1,679	845	2,524	-	4,980	
3094 - Inter-Agency Hearing/Mediation	-	-	-	-	18,192	18,192	16,632	2,013	18,645	-	760	
3000 - Services other	-	-	-	-	-	-	-	555	555	237	31	
4000 - Commodities	-	-	-	-	-	-	-	-	-	-	-	
Total Investigation Expenditures	-	879	879	11,039	69,740	80,779	111,840	67,184	179,024	65,658	63,482	
Total Direct Expenditures	-	54,162	54,162	186,313	153,485	339,798	275,296	222,447	497,743	182,757	141,572	
Indirect Expenditures												
Internal Administrative Costs	-	3,689	3,689	33,476	37,540	71,016	53,488	43,601	97,089	48,628	36,471	
Departmental Costs	-	7,130	7,130	25,405	24,679	50,084	35,578	32,777	68,355	26,239	19,679	
Statewide Costs	-	5,605	5,605	9,698	8,596	18,294	16,888	15,627	32,515	21,559	16,169	
Total Indirect Expenditures	-	16,424	16,424	68,579	70,815	139,394	105,954	92,005	197,959	96,426	72,319	
TOTAL EXPENDITURES	\$ -	\$ 70,586	\$ 70,586	\$ 254,892	\$ 224,300	\$ 479,192	\$ 381,250	\$ 314,452	\$ 695,702	\$ 279,183	\$ 213,891	
Cumulative Surplus (Deficit)												
Beginning Cumulative Surplus (Deficit)	\$ -	\$ -		\$ (69,926)	\$ 261,412		\$ 265,127	\$ 231,543		\$ 8,652	\$ 80,596	
Annual Increase/(Decrease)	-	(69,926)		331,338	3,715		(33,584)	(222,891)		71,944	(162,286)	
Ending Cumulative Surplus (Deficit)	\$ -	\$ (69,926)		\$ 261,412	\$ 265,127		\$ 231,543	8,652		80,596	(81,690)	
Statistical Information												
Number of Licenses for Indirect calculation				756	1,482		1,498	1,277		1,382		
Additional information:	<ul style="list-style-type: none"> • Fee analysis required if the cumulative is less than zero; fee analysis recommended when the cumulative is less than current year expenditures; no fee increases needed if cumulative is over the current year expenses * • Most recent fee change: Fee change FY20 • Annual license fee analysis will include consideration of other factors such as board and licensee input, potential investigation load, court cases, multiple license and fee types under one program, and program changes per AS 08.01.065. 											

Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

Appropriation Name (Ex)	(All)
Sub Unit	(All)
PL Task Code	MAS1

Sum of Budgetary Expenditures Object Name (Ex)	Object Type Name (Ex)		Grand Total
	1000 - Personal Services	3000 - Services	
1011 - Regular Compensation	68,301.54		68,301.54
1014 - Overtime	450.06		450.06
1023 - Leave Taken	10,871.22		10,871.22
1028 - Alaska Supplemental Benefit	4,954.36		4,954.36
1029 - Public Employee's Retirement System Defined Benefits	5,157.87		5,157.87
1030 - Public Employee's Retirement System Defined Contribution	3,036.84		3,036.84
1034 - Public Employee's Retirement System Defined Cont Health Reim	2,162.82		2,162.82
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	728.52		728.52
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	6,662.35		6,662.35
1039 - Unemployment Insurance	140.38		140.38
1040 - Group Health Insurance	21,559.21		21,559.21
1041 - Basic Life and Travel	29.68		29.68
1042 - Worker's Compensation Insurance	789.28		789.28
1047 - Leave Cash In Employer Charge	1,647.36		1,647.36
1048 - Terminal Leave Employer Charge	1,122.93		1,122.93
1053 - Medicare Tax	1,135.07		1,135.07
1063 - GGU Business Leave Bank Usage	-		-
1069 - SU Business Leave Bank Contributions	78.78		78.78
1077 - ASEA Legal Trust	94.63		94.63
1079 - ASEA Injury Leave Usage	15.85		15.85
1080 - SU Legal Trst	45.37		45.37
1970 - Personal Services Transfer	246.11		246.11
3002 - Memberships		951.20	951.20
3023 - Expert Witness		150.00	150.00
3035 - Long Distance		6.43	6.43
3036 - Local/Equipment Charges		5.71	5.71
3045 - Postage		39.20	39.20
3046 - Advertising		170.32	170.32
3088 - Inter-Agency Legal		9,225.94	9,225.94
3094 - Inter-Agency Hearing/Mediation		759.50	759.50
3100 - Inter-Agency Safety		530.75	530.75
3085 - Inter-Agency Mail		503.05	503.05
Grand Total	129,230.23	12,342.10	141,572.33

Sum of Total FY21 Labor Charges through pay period ending 5.2.2021

Appropriation Unit	Unit Code	Sub Unit	Task Code	Grand Total	Work Title
080801156	CBPL	INVE	MAS1	441.82	Supervisor Investigations
080801156	CBPL	PROF	MAS1	492.22	Publications
080801156	CBPL	PROF	MAS1	7,097.32	Regulations
080801156	CBPL	INVE	MAS1	23,047.22	Paralegal
080801156	CBPL	PROF	MAS1	28,455.69	OLE Supervisor
080801156	CBPL	INVE	MAS1	41,113.54	Investigator
080801156	CBPL	PROF	MAS1	47,839.48	Licensing Examiner
Grand Total				\$ 148,487.29	

FY20 Full Year

Appropriation Unit	Unit Code	Sub Unit	Task Code	Grand Total	Work Title
080801156	CBPL	PROF	MAS1	742.61	Publications
080801156	CBPL	PROF	MAS1	3,147.96	OLE Supervisor
080801156	CBPL	INVE	MAS1	3,859.81	Supervisor Investigations
080801156	CBPL	PROF	MAS1	10,245.84	Regulations
080801156	CBPL	INVE	MAS1	22,012.83	Paralegal
080801156	CBPL	INVE	MAS1	42,848.40	Investigator
080801156	CBPL	PROF	MAS1	80,789.65	Licensing Examiner
Grand Total				\$ 163,647.10	

CS FOR SENATE BILL NO. 15(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 4/21/21

Referred: Finance

Sponsor(s): SENATOR COSTELLO

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the Open Meetings Act; establishing a warning and civil and**
2 **criminal penalties for violations of the open meeting requirements by certain elected**
3 **members of governmental bodies; and relating to the duties of the Alaska Public Offices**
4 **Commission and the attorney general."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1.** AS 15.13 is amended by adding a new section to read:

7 **Sec. 15.13.395. Open meetings violations.** A person may file with the
8 commission an administrative complaint against a person for a violation described in
9 AS 44.62.310(i). When an administrative complaint has been filed, the commission
10 shall give the respondent due notice and an opportunity to be heard, except that, if the
11 alleged violation would be the person's third violation, the commission shall refer the
12 matter to the attorney general for criminal proceedings against the respondent under
13 AS 44.62.310(i). If, at the conclusion of the hearing, the commission determines that
14 the respondent engaged in the alleged violation, the commission shall, if the violation

1 is the respondent's first violation, give the respondent a warning under
2 AS 44.62.310(i) or, if the violation is the respondent's second violation, assess a civil
3 penalty under AS 44.62.310(i). The commission's determination under this section
4 may be appealed to the superior court under AS 44.62 (Administrative Procedure Act).

5 * **Sec. 2.** AS 44.62.310 is amended by adding a new subsection to read:

6 (i) A member of a governmental body that is made up of elected public
7 officials who knowingly attends a meeting of the governmental body that violates this
8 section is subject to a warning if the violation is the member's first violation, liable to
9 the state for a civil penalty not to exceed \$1,000 if the violation is the member's
10 second violation, or guilty of a class B misdemeanor if the violation is the member's
11 third violation. The Alaska Public Offices Commission shall advise a member in the
12 warning that a second violation is subject to a civil penalty not to exceed \$1,000 and a
13 third violation is a class B misdemeanor. The Alaska Public Offices Commission shall
14 enforce this subsection under AS 15.13.395. In this subsection,

15 (1) "elected public official" means a person who has been elected to a
16 governmental body at a regular or special election held by a municipality, school
17 district, or regional educational attendance area;

18 (2) "knowingly" has the meaning given in AS 11.81.900(a).

19 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
20 read:

21 **APPLICABILITY.** AS 15.13.395, added by sec. 1 of this Act, and AS 44.62.310(i),
22 added by sec. 2 of this Act, apply to conduct occurring on or after the effective date of this
23 Act.

SENATE BILL NO. 68

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/3/21

Referred: Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act making supplemental appropriations, reappropriations, and other
2 appropriations; amending appropriations; making appropriations under art. IX, sec.
3 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund;
4 and providing for an effective date."

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 (SECTION 1 OF THIS ACT BEGINS ON PAGE 2)

* **Section 1.** The following appropriation items are for operating expenditures from the general fund or other funds as set out in the fiscal year 2022 budget summary for the operating budget by funding source to the agencies named for the purposes expressed for the fiscal year beginning July 1, 2020 and ending June 30, 2021, unless otherwise indicated.

	Appropriation	General	Other
	Allocations	Items	Funds
	*****	*****	
	***** Department of Administration *****		
	*****	*****	
Centralized Administrative Services		1,650,000	-1,650,000
Personnel	0		
	*****	*****	
	***** Department of Commerce, Community, and Economic Development *****		
	*****	*****	
Corporations, Business and Professional		411,700	411,700
Licensing			
Corporations, Business and	411,700		
Professional Licensing			
	*****	*****	
	***** Department of Environmental Conservation *****		
	*****	*****	
DEC Buildings Maintenance and		70,000	70,000
Operations			
DEC Buildings Maintenance	70,000		
and Operations			
Environmental Health		120,000	120,000
Environmental Health	120,000		
Water		236,900	236,900
Water Quality,	236,900		
Infrastructure Support &			
Financing			

	Appropriation	General	Other
	Allocations	Items	Funds
	*****	*****	
	***** Office of the Governor *****		
	*****	*****	
6	Elections	590,000	590,000
7	Elections	590,000	
8	*****	*****	
9	***** Department of Health and Social Services *****		
10	*****	*****	
11	Children's Services	2,975,000	275,000 2,700,000
12	Subsidized Adoptions &	2,975,000	
13	Guardianship		
14	Public Assistance	1,200,000	1,200,000
15	Adult Public Assistance	1,200,000	
16	*****	*****	
17	***** Department of Military and Veterans Affairs *****		
18	*****	*****	
19	Military and Veteran's Affairs	1,200,000	1,200,000
20	Army Guard Facilities	1,200,000	
21	Maintenance		
22	*****	*****	
23	***** Department of Revenue *****		
24	*****	*****	
25	Administration and Support	130,000	130,000
26	Commissioner's Office	130,000	
27	Alaska Permanent Fund Corporation	50,000,000	50,000,000
28	APFC Investment	50,000,000	
29	Management Fees		
30	(SECTION 2 OF THIS ACT BEGINS ON THE NEXT PAGE)		

1 * Sec. 2. The following sets out the funding by agency for the appropriations made in Sec.
2 1 of this Act.

3	Funding Source	Amount
4	Department of Administration	
5	1004 General Fund Receipts	1,650,000
6	1007 Interagency Receipts	-1,650,000
7	*** Total Agency Funding ***	\$0
8	Department of Commerce, Community, and Economic Development	
9	1004 General Fund Receipts	411,700
10	*** Total Agency Funding ***	\$411,700
11	Department of Environmental Conservation	
12	1004 General Fund Receipts	426,900
13	*** Total Agency Funding ***	\$426,900
14	Office of the Governor	
15	1003 General Fund Match	590,000
16	*** Total Agency Funding ***	\$590,000
17	Department of Health and Social Services	
18	1002 Federal Receipts	2,700,000
19	1003 General Fund Match	1,475,000
20	*** Total Agency Funding ***	\$4,175,000
21	Department of Military and Veterans Affairs	
22	1002 Federal Receipts	1,200,000
23	*** Total Agency Funding ***	\$1,200,000
24	Department of Revenue	
25	1004 General Fund Receipts	130,000
26	1105 Alaska Permanent Fund Corporation Receipts	50,000,000
27	*** Total Agency Funding ***	\$50,130,000
28	*** Total Budget ***	\$56,933,600
29	(SECTION 3 OF THIS ACT BEGINS ON THE NEXT PAGE)	

* Sec. 3. The following appropriations are for capital projects and grants from the general fund or other funds as set out in Section 4 of this Act by funding source to the agencies named for the purposes expressed. They lapse under AS 37.25.020, unless otherwise noted.

	Appropriation	General	Other
	Allocations	Items	Funds
	Funds	Funds	Funds
	*****	*****	
	***** Department of Commerce, Community, and Economic Development *****		
	*****	*****	
Alaska Energy Authority - Electrical	200,000	200,000	
Emergencies Program (HD 1-40)			
	*****	*****	
	***** Department of Education and Early Development *****		
	*****	*****	
Mt. Edgecumbe High School Master Plan	330,000	330,000	
Update (HD 35)			
Statewide School Capital Funding	240,000	240,000	
Forecast Database (HD 1-40)			
	*****	*****	
	***** Department of Environmental Conservation *****		
	*****	*****	
Village Safe Water and Wastewater	3,650,000	3,650,000	
Infrastructure Projects (HD 1-40)			
Village Safe Water and	1,460,000		
Wastewater Infrastructure			
Projects: Expansion,			
Upgrade, and Replacement			
of Existing Service (HD 1-			
40)			
Village Safe Water and	2,190,000		
Wastewater Infrastructure			
Projects: First Time			

1	Appropriation	General	Other
2	Allocations	Items	Funds
3	Funds		
3	Service Projects		
4	Supplemental (HD 1-40)		
5	*****	*****	
6	***** Department of Natural Resources *****		
7	*****	*****	
8	Enhance Capacity at Geological Material	375,000	375,000
9	Center (HD 21)		
10	Exxon Valdez Oil Spill Outreach (HD 1-	49,050	49,050
11	40)		
12	Land Sales - New Subdivision	750,000	750,000
13	Development (HD 1-40)		
14	(SECTION 4 OF THIS ACT BEGINS ON THE NEXT PAGE)		

1 * Sec. 4. The following sets out the funding by agency for the appropriations made in Sec.
2 3 of this Act.

3	Funding Source	Amount
4	Department of Commerce, Community, and Economic Development	
5	1004 General Fund Receipts	200,000
6	*** Total Agency Funding ***	\$200,000
7	Department of Education and Early Development	
8	1030 School Fund (Cigarette Tax)	570,000
9	*** Total Agency Funding ***	\$570,000
10	Department of Environmental Conservation	
11	1003 General Fund Match	3,650,000
12	*** Total Agency Funding ***	\$3,650,000
13	Department of Natural Resources	
14	1018 Exxon Valdez Oil Spill Settlement	49,050
15	1108 Statutory Designated Program Receipts	375,000
16	1153 State Land Disposal Income Fund	750,000
17	*** Total Agency Funding ***	\$1,174,050
18	*** Total Budget ***	\$5,594,050

19 (SECTION 5 OF THIS ACT BEGINS ON THE NEXT PAGE)

1 * Sec. 5. The following summarizes by fund source the funding for appropriations made in
2 sections 1 and 3 of this Act.

3	Funding Source	Amount
4	Unrestricted General Funds	
5	1003 General Fund Match	5,715,000
6	1004 General Fund Receipts	2,818,600
7	*** Total Unrestricted General Funds ***	\$8,533,600
8	Designated General Funds	
9	1030 School Fund (Cigarette Tax)	570,000
10	1153 State Land Disposal Income Fund	750,000
11	*** Total Designated General Funds ***	\$1,320,000
12	Federal Receipts	
13	1002 Federal Receipts	3,900,000
14	*** Total Federal Receipts ***	\$3,900,000
15	Other Non-Duplicated Funds	
16	1018 Exxon Valdez Oil Spill Settlement	49,050
17	1105 Alaska Permanent Fund Corporation Receipts	50,000,000
18	1108 Statutory Designated Program Receipts	375,000
19	*** Total Other Non-Duplicated Funds ***	\$50,424,050
20	Duplicated Funds	
21	1007 Interagency Receipts	-1,650,000
22	*** Total Duplicated Funds ***	\$-1,650,000
23	*** Total Budget ***	\$62,527,650

24 (SECTION 6 OF THIS ACT BEGINS ON THE NEXT PAGE)

1 * **Sec. 6.** DEPARTMENT OF MILITARY AND VETERANS' AFFAIRS. The unexpended
2 and unobligated balances, estimated to be a total of \$2,093,889, of the following
3 appropriations are reappropriated to the Department of Military and Veterans' Affairs for the
4 Alaska land mobile radio system:

5 (1) sec. 10, ch. 29, SLA 2008, page 32, lines 9 - 11, as amended by sec. 17(b),
6 ch. 2, 4SSSLA 2016 (Department of Administration, Alaska Land Mobile Radio System),
7 estimated balance of \$341,985;

8 (2) sec. 4, ch. 2, 4SSLA 2016, page 24, lines 10 - 11 (Department of
9 Administration, Alaska Land Mobile Radio System - \$1,000,000), estimated balance of
10 \$820,204;

11 (3) sec. 1, ch. 1, TSSLA 2017, page 2, lines 10 - 11 (Department of
12 Administration, Alaska Land Mobile Radio System - \$1,534,600), estimated balance of
13 \$931,700.

14 * **Sec. 7.** DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (a) The sum of
15 \$2,853,000 is appropriated from the general fund to the Department of Health and Social
16 Services, behavioral health, designated evaluation and treatment, to pay the settlement entered
17 into between the state and the plaintiffs in *The Disability Law Center of Alaska, Inc. v. State*
18 *of Alaska*, Department of Health and Social Services, 3AN-18-09814CI, to fund the programs
19 described in the court-ordered plan for the fiscal year ending June 30, 2021.

20 (b) The following amounts are appropriated to the Department Health and Social
21 Services, behavioral health, designated evaluation and treatment, to pay for the settlement
22 described in (a) of this section to fund the programs described in the court-ordered plan for
23 the fiscal years ending June 30, 2021, and June 30, 2022:

24 (1) federal receipts, not to exceed \$4,500,000;

25 (2) general fund match, \$4,500,000.

26 * **Sec. 8.** DEPARTMENT OF LAW. (a) The sum of \$366,304 is appropriated from the
27 general fund to the Department of Law, civil division, deputy attorney general's office, for the
28 purpose of paying judgments and settlements against the state on or before June 30, 2021.

29 (b) The amount necessary, after application of the amount appropriated in (a) of this
30 section, to pay judgments awarded against the state on or before June 30, 2021, is
31 appropriated from the general fund to the Department of Law, civil division, deputy attorney

1 general's office, for the purpose of paying judgments against the state for the fiscal year
2 ending June 30, 2021.

3 * **Sec. 9.** NATIONAL PETROLEUM RESERVE - ALASKA IMPACT GRANT
4 PROGRAM: CAPITAL. Section 19, ch. 8, SLA 2020, is amended to read:

5 Sec. 19. NATIONAL PETROLEUM RESERVE - ALASKA IMPACT
6 GRANT PROGRAM: CAPITAL. The **unexpended and unobligated balance of**
7 [AMOUNT RECEIVED BY] the National Petroleum Reserve - Alaska special
8 revenue fund (AS 37.05.530(a)) under 42 U.S.C. 6506a(l) or former 42 U.S.C. 6508
9 **on September 1, 2020** [BY AUGUST 31, 2020], estimated to be **\$17,908,763**
10 [\$11,300,000], is appropriated from that fund to the Department of Commerce,
11 Community, and Economic Development for capital project grants under the National
12 Petroleum Reserve - Alaska impact grant program.

13 * **Sec. 10.** CONSTITUTIONAL BUDGET RESERVE FUND. (a) If, after the
14 appropriations made in this Act and in sec. 45(b) and (c), ch. 8, SLA 2020, the unrestricted
15 state revenue available for appropriation in fiscal year 2021 is insufficient to cover the general
16 fund appropriations that take effect in fiscal year 2021, the amount necessary to balance
17 revenue and general fund appropriations is appropriated to the general fund from the budget
18 reserve fund (art. IX, sec. 17, Constitution of the State of Alaska.)

19 (b) The appropriation made in (a) of this section is made under art. IX, sec. 17(c),
20 Constitution of the State of Alaska.

21 * **Sec. 11.** LAPSE. The appropriations made in secs. 6 and 9 of this Act are for capital
22 projects and lapse under AS 37.25.020.

23 * **Sec. 12.** RETROACTIVITY. If this Act takes effect after June 30, 2021, this Act is
24 retroactive to June 30, 2021.

25 * **Sec. 13.** This Act takes effect immediately under AS 01.10.070(c).

1 STATE OF ALASKA
2 DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
3 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
4 BOARD OF MASSAGE THERAPISTS

5
6 MINUTES OF THE MEETING
7 March 01, 2021
8

9 By the authority of AS 08.01.070(2) and AS 08.86.030 and in compliance with the provisions of AS 44.62
10 Article 6, a scheduled meeting of the Board of Massage Therapists was held via videoconference and at
11 State Office Bldg., 9th Floor, Conference Room B, March 01, 2021
12

13 **These are DRAFT minutes prepared by the staff of the Division of Corporations, Business and**
14 **Professional Licensing. These minutes have not been reviewed or approved by the board.**
15

16 **Agenda Item 1 Call to Order/Roll Call:**

17
18 The meeting of the Board of Massage Therapists was called to order by David Edwards-Smith, Chair at
19 9:04 a.m. Members present were:
20

21 **Board Members present, constituting a quorum:**

22
23 David Edwards-Smith, Board Chair, Licensed Massage Therapist
24 Jill Motz, Vice Chair, Licensed Massage Therapist
25 Kristin Tri, Licensed Massage Therapist
26 Julie Endle, Public Member
27

28 **Division Staff present:**

29
30 Emily Sullivan, Licensing Examiner
31 Cynthia Spencer, Records and Licensing Supervisor
32 Melissa Dumas, Administration Officer
33 Collen Kautz, Program Coordinator
34

35 **Public Joining Telephonically**

36
37 Traci Gilmour, Public
38 Laura Embleton, Associated Bodywork & Massage Professionals
39 Nanette Greer, Applicant for Massage Therapist Licensure
40 Dawn Dulebohn, Public
41

42 **Agenda Item 2 Review/Approve Agenda**

43
44 The board reviewed the agenda and added items for a discussion on why the board members are no
45 longer receive the DPS and FBI background information to agenda item 12, application review will be
46 moved from agenda item 12, subsection c, to item 12 subsection a.
47

48 The board discussed changing the meetings adjourn time to 5:00pm, to ensure they have enough time
49 to discuss all agenda items. The board decided extending the meeting was not necessary.
50

51 In a motion made by Julie Endle, seconded by Jill Motz, and passed with unanimous consent, it
52 was RESOLVED to APPROVE the agenda as amended.

53
54 **Agenda Item 3 Ethics Reporting**

55
56 The Board reviewed the provided ethics information. There were no ethics violations reported.

57
58 The board briefly discussed departing board member Traci Gilmour and the need to fill the vice chair
59 seat. Julie Endle nominated Jill Motz, Kristin Tri seconded, and passed unanimously with a roll call vote it
60 was resolved to appoint Ms. Motz as the vice chair.

61
62 **Agenda Item 5 Board Chair Meeting Review**

63
64 Chair David Edwards-Smith reported that in the last board chair meeting, Director Sara Chambers would
65 like to get input from boards regarding board training and transitions. Chair David Edwards-Smith asked
66 the board to start thinking about what they wish they had known, where was there a deficit in training,
67 what was helpful, and what they would like to see in future board training.

68
69 Chair Edwards-Smith stated that he would like bullet pointed historical summaries of what of the board
70 has done, as well as the corresponding meeting minutes.

71
72 *Recess The board recessed at 9:24a.m. for a break; reconvened at 9:31a.m. Emily Sullivan*
73 *conducted a roll call vote – all board members present.*

74
75 **Agenda Item 4 Division & Financial Update**

76
77 Chair Edwards-Smith welcomed Melissa Dumas, Administrative Officer, to present the Division/Financial
78 Update to the board. Ms. Dumas informed the board during the January 25-26, 2021 board meeting the
79 1st and 2nd quarter budget reports had been presented to the board, and the 3rd quarter report is not
80 available.

81
82 Since there were no budget reports or financial updates, the board and Ms. Dumas moved on to discuss
83 legislative bills.

84
85 Ms. Dumas reported that the SB 241, which put a hold on any/all fee increases expired; Governor
86 Dunleavy is seeking an extension of this bill.

87
88 Ms. Dumas explained that HB 15 will expedite licensure for military families and is currently sitting in
89 labors and commerce. Ms. Dumas suggested that the board keep their eye on this bill to track updates.

90
91 Ms. Dumas reported that SB 15 addressing open meetings act penalty; seeking to establish a civil
92 penalty for violations of the open meeting act. Ms. Dumas stated the Division is concerned about this
93 bill, as it could make it more difficult to find new board members. Chair Edwards-Smith stated the bill
94 does not give clarity on the authority and implementation of how it is determined if someone has
95 violated the open meetings act; what is the due process. Chair Edwards-Smith stated that at this time it
96 is the responsibility of the public office commission to determine. Chair Edwards-Smith informed the
97 board that SB 15 also extends to the local councils and small boards.

99 Ms. Endle stated she is concerned about SB 15 as the statutes/regulations reflect that there is a
100 \$5,000.00 fee for violating the open meetings act; per 39.52.410-460 a board may impose a fine of up to
101 \$5,000 for each violation of the ethics act, in addition, a board member may be required to pay up to
102 twice a financial benefit received in violation of the ethics.

103

104 **Task: Chair Edwards-Smith will continue to communicate with Director Chambers on the**
105 **board's thoughts and concerns regarding HB 15.**

106

107 Ms. Dumas informed the board that SB 68 is currently with the Senate Finance Committee which seeks
108 to recoup some of the lost revenue due to not being able to increase fees for the past year. Ms. Dumas
109 explained, since the Massage Therapists program did not have a deficit in revenue for fiscal year 2020,
110 this bill does not directly affect the board. If the division seeks a supplemental bill for next fiscal year, the
111 massage therapists' program may be included.

112

113 Chair Edwards-Smith asked Ms. Dumas to address the program's fees. Ms. Dumas stated she had spoken
114 with Director Chambers, and suggested the board write a letter supporting a fee increase would be very
115 helpful.

116

117 **Task: Ms. Motz will work with Director Chambers to produce a letter of support from the**
118 **board for SB 68.**

119

120 Ms. Dumas stated that SB 86 is currently with the senate, labor, and commerce; this bill seeks to create
121 a path for individuals who currently hold licenses in other state(s) to get a temporary one-year license in
122 the State of Alaska while they wait for permanent licensure.

123

124 Chair Edwards-Smith stated he listened to the hearing regarding SB 86 conducted by senate and
125 commerce, sponsored by representative Mia Costello and seeks to amend SB 56. Chair Edwards-Smith
126 gave a brief overview of the bill, discussing his questions and concerns. It was noted that the bill shifts
127 the authority to the division, rather than the boards to expedite licenses. Chair Edwards-Smith was
128 concerned about maintaining the integrity of the program and public safety, if the bill passed. If the
129 board has any questions or concerns about the bill, Director Chambers will be the point of contact.

130

131 Ms. Motz stated the board had conversations about a similar concept to this bill and was concerned that
132 removing temporary licenses is difficult and costly. She stated she was also concerned that a yearlong
133 temporary license may be too long, as the process to obtain a permanent license does not usually take
134 that long.

135

136 Ms. Tri stated she agreed with Ms. Motz concerns that removing a temporary license is difficult, may
137 impact public safety, and obtaining a permanent license is not typically a yearlong wait.

138

139 Chair Edwards-Smith would like clarity on what level of complete application is required to then
140 expedite while waiting for the rest of the documentation, and will this process circumvent public safety.

141

142 Ms. Motz stated she believes it should be taken into consideration that this bill seems geared towards
143 essential frontline workers for the public health emergency and questioned if massage therapists would
144 fall under that.

145

146 Ms. Motz asked Ms. Dumas if this bill is only for the military, or all members of the public. Ms. Dumas
147 clarified that SB 86 is for universal temporary licensure, not specific to the military.

148

149 Ms. Endle and Ms. Motz discussed how important it is that a background check is conducted before a
150 license is issued; if a temporary license has been issued to someone who may have been involved in a
151 human trafficking situation, a year is plenty of time for them to be trafficked and then moved. Ms. Motz
152 stated she does not think SB 86 is a good idea for the board.

153
154 Chair Edwards-Smith stated if SB 86 were to move forward, what would the balance look like for this
155 board when it comes to expediting licensure and what situation would or could arise in the massage
156 therapy profession that would warrant an expedition of licensure.

157
158 Ms. Motz would like clarification on who has authority over the licensee and who handles problems
159 when a temporary license is issued without the board having the opportunity to look at the background
160 check.

161
162 Chair Edwards-Smith stated he would also like clarification on situations where a temporary license was
163 issued by the division and there was activity which resulted in an investigative process, and
164 consequently the revoking of that license; If the board was not given the opportunity to determine the
165 fit to practice, who is responsible.

166
167 Ms. Motz asked OLE Sullivan for a status update on the SB 30 letter of support, as she needs to follow up
168 with Senator Begich after he receives it.

169
170 OLE Sullivan stated she would check on the status of the letter and follow up with Ms. Motz.

171
172 Ms. Endle requested that a timeline is created and updated for tasks and requests, as it will help with
173 communication.

174
175 **Task: OLE Sullivan will create and update a timeline of events/landmarks for tasks and**
176 **requests.**

177
178 **Task: Chair Edwards-Smith will speak with Director Chambers about questions and concerns**
179 **regarding SB 86.**

180
181 **Task: OLE will add call in phone number to agendas for the board meetings going forward.**

182
183 **Agenda Item 6 Distance Accreditation Programs Discussion**

184
185 Ms. Motz stated she believes the board should accept the distance accreditation programs that have
186 already been accepted and the board should accept programs that are accredited by the Department of
187 Education or the Council for higher education accreditation.

188
189 Chair Edwards-Smith agreed with Ms. Motz and stated that the Department of Education and the
190 Council for Higher Education Accreditation are the industry standard and have extensive criteria for
191 accreditation programs.

192
193 **In a motion made by Jill Motz, seconded by Kristin Tri, and passed unanimously with a roll call**
194 **vote, it was RESOLVED to APPROVE the Distance Education Accreditation Commission and the**
195 **Council on Higher Education Accreditation as accrediting bodies for massage therapy distance**
196 **education programs.**

197

198 *Recess The board recessed at 10:37a.m. for a break; reconvened at 10:47a.m. Emily Sullivan*
199 *conducted a roll call vote – all board members present.*

200

201 **Agenda Item 11 CEU Courses by Health Care Providers Related to Massage Therapy**

202

203 The board discussed making CE courses that are substantially applicable to the definition of the scope of
204 practice of massage therapy available to licensees.

205

206 Chair Edwards-Smith presented a form he created to help with the CE audit process, reduce costs, and
207 improve access. Chair Edwards-Smith stated the licensee is given a chance to show a CE course they had
208 completed is substantially applicable to massage therapy and approved by a nationally recognized
209 certification body or professional licensing program. Chair Edwards-Smith suggested the licensee also
210 provide a letter of explanation to accompany the CE form.

211

212 Ms. Motz thought the form Chair Edwards-Smith created would be helpful to the board and licensees.
213 Ms. Motz suggested the form be interactive/fillable.

214

215 Ms. Endle stated she was in favor of the form as well and suggested adding a link to the unacceptable CE
216 list to the form to make this information more accessible to licensees.

217

218 Chair Edwards-Smith ask OLE Sullivan to work with him to create the form.

219

220 *Recess The board recessed at 11:20a.m. for a break; reconvened at 11:27a.m. Emily Sullivan*
221 *conducted a roll call vote – all board members present.*

222

223 **In a motion made by Jill Motz, seconded by Julie Endle, and passed unanimously with a roll**
224 **call vote, it was RESOLVED to APPROVE licensed parallel professions within the scope of**
225 **practice for massage therapy, as approved by the board. A written explanation of the**
226 **applicability to the practice of massage therapy as per 08.61.100 is required upon renewal.**

227

228 **Task: Add provided CE audit verbiage to the 2021-2023 application and be involved in the**
229 **creation and publication of the renewal application.**

230

231 *Recess The Board recessed at 11:52 p.m. for lunch; reconvened at 1:16 pm. Emily Sullivan*
232 *conducted a roll call vote – all board members present.*

233

234 **Agenda Item 8 Public Comment**

235

236 Ms. Gilmour, licensed massager therapist and former board member read a prepared thank you
237 statement to the board expressing her gratitude and feelings of accomplishment during her term. Ms.
238 Gilmour thanked Director Chambers for her guidance and patience. Ms. Gilmour also thanked Ms. Endle
239 for her patience, knowledge, contributions, and friendship. Ms. Gilmour encouraged Ms. Endle to not
240 stop asking question and stated she felt Ms. Endle’s continued curiosity and respect for the profession is
241 inspiring. Ms. Gilmour complimented chair Edwards-Smith on his growth, leadership, and dedication.
242 Ms. Gilmour thanked Ms. Motz for help in understanding distance education and apprenticeships and
243 keeping on top continuing education and institutions offering the board their services. Ms. Gilmour
244 thanked Ms. Tri and stated that she expects Ms. Tri to find her voice and be a great contributor to the
245 board. Ms. Gilmour encouraged the board to teach each new board and staff member on who they are,
246 what they do, and that they are experts in their field. Ms. Gilmour also stated that there have been a lot
247 of changes, confusion, and frustration in the board’s journey, but the board has had amazing guides
248 within the investigative unit and licensees.

249 There were no other attendees for public comment, so the board moved on to the next agenda item.

250

251 **Agenda Item 12 Administrative Business**

252

253 Ms. Motz asked Records and Licensing supervisor Cynthia Spencer to explain why the background
254 reports are no longer being included in the application packet the board reviews.

255

256 Ms. Spencer explained she was advised my Senior Investigator Amber Whaley to not include the
257 background reports as they may unintentionally prejudice a board member's review of the application.

258 Ms. Spencer stated that if an application is sent to the investigative unit, that is when the board would
259 get detailed information and review the investigative report.

260

261 Chair Edwards-Smith explained that historically, the decision was made to include background reports
262 because while an applicant may not have been convicted, there may be alarming information that puts
263 the board at pause for a fitness to practice review.

264

265 Ms. Motz stated she believes the board should be able to see if an applicant has been arrested for
266 prostitution twelve times, but never convicted. Ms. Motz went on to state that the board should be able
267 to pause and ask questions about it, as human trafficking is a problem in the massage therapy industry;
268 if the board will no longer see background reports, she would like to see the statute for it, and an
269 interpretation from law.

270

271 Ms. Spencer agreed to go back to including the background checks in the application review packets.

272

273 Ms. Endle requested that the voting history of tabled application by made accessible to the board
274 members; having the opportunity to see how you or other board members voted in the past is helpful to
275 see if the right decision was made to table to application.

276

277 **Task: OLE will provide board members with how they have previously voted on tabled**
278 **applications.**

279

280 **Correspondence**

281

282 The board discussed the fingerprint requirement for the 2021-2023 renewal period. Ms. Motz explained
283 that since there were applicants that have not gotten their fingerprints done since 2016; the once every
284 six years fingerprint requirement means they must get their fingerprints done by 2022, during this
285 renewal cycle.

286

287 The board discussed Ms. Cunningham's email, asking if time spent assistant teaching can go towards the
288 education requirements for licensure and concluded that assisting teaching is not equivalent attending a
289 school, so it cannot count towards the 625-hour education requirement.

290

291 The board discussed Ms. Dale's email requesting the board's definition of kinesiology. The board agreed
292 that they accept the general definition of kinesiology as the study of body movement, mechanics, and
293 posture.

294

295 The board discussed Ms. Fountain's email requesting COVID-19 protocol guidance regarding traveling
296 clients and whether the client needs to be tested before getting a massage. Ms. Motz stated that the
297 COVID-19 Alaska travels webpage still says to test before traveling to Alaska, or get tested once you
298 have arrived, and socially distance until your results are received. Ms. Motz also stated that the second
299 test 5 – 14 days after arrival is strongly recommended, but not mandatory. The board stated that it is

300 ultimately up to the licensee to follow the CDC guidelines and decide what is right for them and what
301 their exposure risk is.

302
303 The board discussed Ms. Place's email asking if she is required to have a license to practice reiki,
304 craniosacral, visceral, lymphatic and biosynchronistics. The board determined that while reiki does not
305 require a massage therapist license, craniosacral, visceral, and lymphatic bodywork fall under the
306 definition of the scope of practice for massage therapists. The board determined, based on the
307 information from Ms. Place, she will need a massage therapist license. Ms. Place also asked if the
308 establishment she is working at needs to be registered, if so, does the responsibility of registering on her
309 or the shop's owner? The board discussed that if the owner of the business currently holds a massage
310 therapist license, they are exempt from registering their establishment; however, if the licensee is an
311 employee of a shop that is owned by someone who does not hold a massage therapist license, they are
312 responsible for registering the establishment. Ms. Motz suggested updating the MAS establishment
313 registration FAQ to give the licensees more clear and concise information.

314
315 **Task: Ms. Motz will update the FAQ on MAS establishment registration information.**

316
317 The board discussed Ms. Branche's email asking how long a massage therapist must keep their chart
318 records from the date of the last visit. The board stated that the board of massage therapists does not
319 set that requirement, the licensee should refer to the HIPPA requirements.

320
321 **Agenda Item 10 Investigations**

322
323 *Sonia Lipker, Investigator and Christina Bond, Investigator, joined the meeting.*

324
325 **Investigative Report**

326
327 Investigator Sonia Lipker informed the board there are currently 17 open cases, and since the last report
328 there have been 22 closed cases. Chair Edwards-Smith asked Investigator Lipker if most the cases are a
329 result of a complaint driven process. Ms. Lipker informed the board that the investigative units receives
330 complaints from the public or through licensing regarding application matter.

331
332 **Probation Report**

333
334 Investigator Christina Bond informed the board that as of February 25, 2021 when the report was
335 created, there are nine licensees currently on probation with all of these licensees remaining in
336 compliance with their agreements

337
338 **In a motion duly made by Julie Endle, seconded by Jill Motz, it was RESOLVED to ENTER into**
339 **Executive Session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to**
340 **Privacy Provisions, for the purpose of discussing "matters involving consideration of**
341 **government records that by law are not subject to public disclosure." All Division staff to**
342 **remain during Executive Session.**

343
344 *The Board entered executive session at 2:06 p.m., and returned from executive session at 2:17 p.m.*
345 *OLE Sullivan conducted a roll call vote – all board members present.*

346
347 The board made the following motions regarding the cases they reviewed in executive session:

348

349 M.C.

350

351 **In a motion made by Julie Endle, seconded by Jill Motz, and passed unanimously with a roll**
352 **call vote, it was RESOLVED to accept the consent agreement for case #2020-001030 for Maria**
353 **Cardoza.**

354

355 K.D.

356

357 **In a motion made by Julie Endle, seconded by Jill Motz, and passed unanimously with a roll**
358 **call vote, it was RESOLVED to accept the surrender of license for case #2020-001031 for Krystle**
359 **Dube.**

360

361 B.S.

362

363 **In a motion made by Julie Endle, seconded by Jill Motz, and passed unanimously with a roll**
364 **call vote, it was RESOLVED to accept the consent agreement for case #2019-001101 for Betty**
365 **Scott.**

366

367 **Agenda Item 12 Administrative Business**

368

369 Review/approve January 2021 Meeting Minutes

370

371 The board explained that the acupressure discussion in the January 2021 meeting's purpose was to
372 provide guidance to an investigative matter. The board wished to state on the record that acupressure is
373 recognized by board to be relevant to the definition of massage therapy, rather than amend any
374 regulations.

375

376 **In a motion made by Jill Motz, seconded by Julie Endle, and passed unanimously with a roll call vote, it**
377 **was RESOLVED to rescind the motion made during the January 2021 meeting requesting a regulation**
378 **change to 12 AAC adding acupressure to the definition of massage therapy.**

379

380 The board discussed that the currently posted COVID-19 guidance letter discussed during the January
381 2021 meeting is not the correct version. Ms. Spencer suggested to avoid additional delays, the board
382 could discuss the draft on the record, send OLE Sullivan the final version, and then read the finalized
383 version into the record.

384

385 **In a motion made by Julie Endle, seconded by Kristin Tri, and passed unanimously with a poll of the**
386 **board, it was RESOLVED approve the January 2021 meeting minutes with the amendment of the**
387 **acupressure discussion.**

388

389 Application Review

390

391 The board briefly discussed application reviews during board meetings and stated that they felt rushed
392 due to time constraints when reviewing initial application for licensure due to their transcript/training
393 analysis review. The board requested staff no long present initial applications for review during board
394 meetings; the board stated they preferred to review these types of applications via OnBoard and would
395 only like to review applications that had been tabled via OnBoard during meetings.

396

397 *Recess The board recessed at 2:55p.m. for a break; reconvened at 3:00p.m. Emily Sullivan*
398 *conducted a roll call vote – all board members present.*

399

400 A.D.

401

402 The board reviewed and discussed the application by exam for A.D. and found they met the
403 requirements per 12 AAC 79.100.

404

405 **In a motion made by Jill Motz, seconded by Julie Endle, and passed unanimously with a roll**
406 **call vote, it was RESOLVED to APPROVE the application by exam for Amanda DeHart per 12**
407 **AAC 79.100.**

408

409 K.B.

410

411 The board reviewed and discussed the application by exam for K.B. and found they met the
412 requirements per 12 AAC 79.100.

413

414 **In a motion made by Jill Motz, seconded by Kristin Tri, and passed unanimously with a roll call**
415 **vote, it was RESOLVED to APPROVE the application by exam for Katelyn Boyter per 12 AAC**
416 **79.100.**

417

418 K.W.

419

420 The board reviewed and discussed the application by exam for K.W. and decided they would like more
421 time to review the application. The board requested that this application be submitted during the next
422 application upload to OnBoard, with Julie Endle as the transcript reviewing board member.

423

424 **In a motion made by Jill Motz, seconded by Julie Endle, and passed unanimously with a roll**
425 **call vote, it was RESOLVED to TABLE the application by exam for Kimberly Wallace for review**
426 **via OnBoard.**

427

428 V.H.

429

430 The board reviewed and discussed the application by credentials for V.H. and found they met the
431 requirements per 12 AAC 79.100.

432

433 **In a motion made by Jill Motz, seconded by Kristin Tri, and passed unanimously with a roll call**
434 **vote, it was RESOLVED to APPROVE the application by credentials for Veronica Harber per 12**
435 **AAC 79.100.**

436

437 N.G.

438

439 The board reviewed and discussed the application by exam for N.G. and found they met the
440 requirements per 12 AAC 79.100.

441

442 **In a motion made by Julie Endle, seconded by Kristin Tri, and passed unanimously with a roll**
443 **call vote, it was RESOLVED to APPROVE the application by exam for Nanette Greer per 12 AAC**
444 **79.100.**

445

446 Ms. Spencer asked the board for guidance regarding an application that had been reviewed September
447 2019 and tabled for additional training. Ms. Spencer stated written notification reflected the applicant
448 had 6 months to complete required additional training, a second reminder was mailed August 2020; the
449 August 2020 email correspondence also reflected documentation was required to be sent to this office

1 State of Alaska
2 Department of Commerce, Community and Economic Development
3 Division of Corporations, Business and Professional Licensing
4

5 BOARD OF MASSAGE THERAPISTS
6

7 MINUTES OF THE MEETING
8 March 15, 2021
9

10 By the authority of AS 08.01.070(2) and AS 08.86.030 and in compliance with the provisions of AS 44.62
11 Article 6, a scheduled meeting of the Board of Massage Therapists was held via videoconference and at
12 State Office Bldg., 9th Floor, Conference Room A, March 15, 2021
13

14 **These are DRAFT minutes prepared by the staff of the Division of Corporations, Business and**
15 **Professional Licensing. These minutes have not been reviewed or approved by the board.**
16

17 **Agenda Item 1 Call to Order/Roll Call:**
18

19 The meeting of the Board of Massage Therapists was called to order by David Edwards-Smith, Chair at
20 2:31 p.m. Members present were:
21

22 **Board Members present, constituting a quorum:**
23

24 David Edwards-Smith- Board Chair, Massage Therapist
25 Jill Motz, Massage Therapist
26 Kristin Tri, Massage Therapist
27 Julie Endle, Public Member
28 VACANT, Massage Therapist
29

30 **Division Staff present:**
31

32 Emily Sullivan, Licensing Examiner
33 Cynthia Spencer, Records and Licensing Supervisor
34 Jun Maiquis, Regulation Specialist
35

36 **Public Joining Telephonically**
37

38 Dawn Dulebohn, Public
39

40 **Agenda Item 2 Review/Approve Agenda**
41

42 The board reviewed the agenda and had no changes to the agenda
43

44 **Agenda Item 3 Ethics Reporting**
45

46 The Board reviewed the provided ethics information. There were no ethics violations reported.
47

48 **Agenda Item 4 Regulation Projects - Adoption**
49

- 50
- 12 AAC 79.110, 79.210, 79.920, 79.930, 79.940

51 Chair David Edwards-Smith greeted the board and stated the purpose of this meeting was to adopt the
52 public noticed regulations taking into consideration submitted public comments.

53

54 **In a motion duly made by Julie Endle, to amend 12 AAC 79.930(e) by lowering the**
55 **establishment registration renewal fee from \$300.00 to \$100.00**

56

57 The board briefly discussed the establishment registration fee and submitted public comments.

58

59 Jill Motz stated that \$300.00 renewal fee every two years should not be a problem, as the renewal fee
60 breaks down into \$150.00 per year. Ms. Endle stated that she still did not agree with the \$300.00
61 establishment renewal fee. Ms. Motz stated that the fee was the price of doing business.

62

63 The board briefly discussed fee options and Ms. Endle asked to amend her initial motion.

64

65 **In a motion duly made by Julie Endle, to amend 12 AAC 79.930(e) by lowering the**
66 **establishment registration renewal fee from \$300.00 to \$100.00 based on submitted public**
67 **comments.**

68

69 **Hearing NO second to the motion; the motion failed to be carried.**

70

71 Kristin Tri stated that the board had talked about this previously and stated that she feels a lot of people
72 are confused about the difference between this establishment fee versus the license fee massage
73 therapists pay.

74

75 The board briefly discussed fee and establishment registration confusion, who is required to register an
76 establishment and who is not; and agreed to update the frequently asked question (FAQ) website with
77 clearer information.

78

79 The board agreed that keeping the establishment registration was very important as it may assist human
80 trafficking issues and also assists in legitimize the profession.

81

82 Ms. Motz stated she had limited time for this meeting and requested the board move on.

83

84 **In a motion made by Jill Motz, seconded by Kristin Tri, and passed unanimously with a roll**
85 **call vote, it was RESOLVED to ADOPT regulations 12 AAC 79.110, 79.210, 79.920, 79.930,**
86 **79.940 as written and taking into consideration submitted public comments.**

87

88 Chair Edwards-Smith asked the board if they would like further discussion.

89

90 Ms. Endle stated that based on her review of submitted public comments she noticed that several
91 individuals thought attending board meetings would become mandatory and they would receive a
92 continuing education (CE) credit for their attendance. Chair Edwards-Smith agreed with Ms. Endle and
93 stated that mandatory attendance was not a requirement; licensees may attend board meeting and
94 could obtain CE for their attendance. Chair Edwards-Smith stated that he felt communicating with
95 licensees was the best fix and that he will write a clear and concise FAQ that addresses attending board
96 meetings and obtaining CE which would also be emailed to licensees.

97

98 Chair Edwards-Smith asked if the board would like any further discussion; hearing none, Chair Edwards-
99 Smith requested a roll call vote.

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Roll Call Vote

NAME	YES	NO	ABSTAIN	Not in attendance
David Edwards-Smith	X			
Julie Endle	X			
Jill Motz	X			
Kristin Tri	X			

THE MOTION PASSED BY A MAJORITY VOTE.

Agenda Item 5 Adjourn

Ms. Tri asked if Ms. Spencer could assist her with OnBoard issues. Ms. Spencer stated she would call Ms. Tri in a few minutes.

Hearing nothing further, Chair David Edwards-Smith adjourned the meeting and the record ended at 3:20 p.m.

Respectfully submitted:

Cynthia Spencer, Records & Licensing Supervisor

Approved:

David Edwards-Smith, Chairperson
Board of Massage Therapists

Date: _____

March 1st, 2021 Board Meeting Task List

- Ms. Motz will communicate with Director Chambers on a letter for Senate Bill 68.
 - 3/9 Jill emailed Director Chambers
 - 3/9 Director Chambers replied with an answer to Jill's question
- David Edwards-Smith will speak to Director Chambers about questions and concerns regarding Senate Bill 86.
- OLE will email a bullet information list of Senate Bill 86 to the rest of the board. (Dave will send to OLE by Tuesday)
 - 3/11- Emily spoke to Dave about bullet list, Dave said he will work on it.
- OLE will add call in phone number to agendas for the board meetings going forward.
- OLE will provide board members with how they have previously voted on tabled applications.
- Ms. Motz will update the FAQ on MAS establishment registration information.
 - 3/1- FAQ task was discussed and assigned to Jill
 - 3/9- Phone call between Jill and Emily regarding details of task
 - 3/9- Jill sent a draft of the new FAQ to Emily
 - 3/9- Emily forwarded to Dave for opinion
- OLE will get information on fingerprints and budget breakdown for CE audits.
 - 3/11- Emily reached out to supervisor for guidance on obtaining requested information.
- Adding provided CE audit verbiage to the 2021-2023 application and be involved in the creation and publication of the renewal.

From: [Anastasia Rodriguez](#)
To: [Board of Massage Therapists \(CED sponsored\)](#)
Subject: Foreign trained applicants
Date: Tuesday, December 15, 2020 12:33:48 PM

Good morning David,

I am reaching out on behalf of Josef Silny & Associates, Inc., International Education Consultants, provider of foreign credentials evaluation and translation services. I'd like to find out if your international applicants are required to submit the evaluation of their education outside of the United States, and if so, do you use or recommend a specific company.

We complete evaluations for international applicants who apply to the Florida and Virginia Boards of Massage Therapy, and it would be great to add the Alaska Board of Massage Therapists to the list of the agencies we are proud to serve. If you are not familiar with our company, I'll be happy to answer any questions you might have.

I look forward to hearing your feedback and thank you for your time!

Best regards,

Anastasia Rodriguez
Assistant Director of Corporate Relations and Marketing
305-273-1616 ext. 160
E-mail: anastasia@jsilny.org
www.jsilny.org

Josef Silny & Associates, Inc., 7101 SW 102nd Ave, Miami, FL 33173, 305.273.1616

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Send free email today



From: [McBride, Elizabeth](#)
To: [Board of Massage Therapists \(CED sponsored\)](#)
Subject: TriWest's Community Care Network for Massage Therapists in Alaska
Date: Friday, January 22, 2021 1:11:29 PM
Attachments: [image003.png](#)
[image004.jpg](#)
[Grow Your Practice.pdf](#)
[TriWest ALASKA Grp Sum REGION 5.pdf](#)

Good afternoon Ms. Sullivan,

I'm Elizabeth McBride, a recruiter for Tivity Health, WholeHealth Networks, Inc. ("WHN"); I just left you a voice message. Tivity Health was hired by TriWest to seek out all licensed Massage Therapists (and Acupuncturists) in Alaska who wish to provide health services to our U.S. Veterans living in Alaska.

Last year (mid-2020) was the first time the Veteran's Administration gave Veterans referrals to receive therapeutic massage. This is exciting on so many levels not the least of which is the credibility it gives the massage profession. We both know massage is not just about relaxation! It provides meaningful therapeutic results, and these referrals come directly from VA physicians.

I would like to partner with the Board to help get this information to massage therapists who would like to credential to do this work. Credentialing is completely free to the practitioner. Each practitioner would need an NPI number (National Provider Identifier) and a CAQH profile, along with a contract and W9 to direct their reimbursements.

I am hoping you may have a newsletter or email blast capability to your licensees to give them my information about this wonderful opportunity. Can we plan a time to have a phone conversation so I can answer any questions you may have?

I appreciate your attention to this matter, and if there is someone else you feel could benefit from this information, would you please kindly let me know?

Have a wonderful weekend!



Be well,

Elizabeth McBride • Network Development Specialist

Tivity Health • tivityhealth.com • WholeHealth Networks, Inc.

c • 480.658.5464 **f** • 888.492.1026

a • 1445 S Spectrum Blvd, Suite 100, Chandler, AZ 85286

elizabeth.mcbride@tivityhealth.com



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any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

From: [Jean Rogan](#)
To: [Sullivan, Emily W \(CED\)](#)
Subject: Fwd: Jean Rogan's Professional Licensing with with Board of Massage Therapists
Date: Monday, June 14, 2021 8:36:28 PM

Hi Emily. could you please pass this along to the board in the morning. It is important to my application. Thank you, Jean

----- Forwarded message -----

From: **Jackie Hanson** <jhanson@craigschools.com>
Date: Mon, Jun 14, 2021 at 8:30 PM
Subject: Jean Rogan's Professional Licensing with with Board of Massage Therapists
To: <cynthia.spencer@alaska.gov>

Good evening,

I was unable to attend the State of Alaska Department of Commerce, Community and Economic Development Division of Corporations, Business and Professional Licensing Board of Massage Therapists Video Conferencing Meeting earlier today. Hence, I would appreciate my email be accepted and considered on behalf of **Jean Rogan's Professional Licensing with the Board of Massage Therapists.**

As an educator and administrator working for more than 20-years in the State of Alaska, I'm familiar and understand certification requirements. With that said, I would like to encourage the Board to consider Massage License Reciprocity. Jean Rogan was a licensed Massage Therapist working in the state of Montana and moved to Alaska in September of 2020. As you may be aware, reciprocity is a mutual exchange of privileges. As Jean was licensed in Montana, the state of Alaska should recognized the validity of her current license as well as the educational requirement and training she has already completed. Reciprocity allows massage therapist to acquire a new license and practice without delays and difficulty.

Unfortunately, Jean has been detained and hassled since November of 2020. Granted, transferring a license can take time, but typically those transferring licenses plan for a few weeks or a couple of months at the absolute most. Jean has been waiting for seven (7) months and counting. Jean completed her massage therapist degree from the United States Career Institute in Fort Collins, Colorado. In addition, Jean completed and passed the Massage & Bodywork Licensing Examination (MBLEX), which is a standardized examination that tests the critical knowledge needed to practice massage therapy, administered by the Federation of State Massage Therapy Boards, and recognized as a professional organization in the US that oversees the regulation of massage therapy practice. Last, but not least, Jean has a vast amount of massage training hours as well as hundreds of hours (and grateful, repeat clients) in previous Montana hand-on massage therapist work experience.

In closing, it's my hope the Board keeps Massage License Reciprocity in mind and approves Jean Rogan's Professional Licensing with with Board of Massage Therapists. As a Prince of Wales resident for almost 14-years, and an educator/administrator for 20-years - I believe in the benefits of massage, especially now, in light of the COVID-19 Pandemic. Anything we can do in our Alaskan communities to reduce stress, increase relaxation, reduce muscle pain/soreness/tension, lower blood pressure, improve circulation and strengthen energy is extremely advantageous. Please approve Jean Rogan's licensing for the health, good, and well

being of others.
Respectfully,

Jackie Hanson
Principal, Craig Elementary & Middle School
jhanson@craigschools.com

Annual Report

Fiscal Year 2021

BOARD/PROGRAM NAME



**Department of Commerce, Community
and Economic Development**

**Division of Corporations, Business
and Professional Licensing**

This annual performance report is presented in accordance with
Alaska statute AS 08.01.070(10).

Its purpose is to report the accomplishments, activities, and the
past and present needs of the licensing program.

**BOARD/PROGRAM NAME
FY 2021 Annual Report**

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BOARD/PROGRAM NAME
FY 2021 Annual Report

Identification of the Board

Board Member	Duty Station	Date Appointed	Term Expires
Insert Name Here Board Seat Title	City Location	Mar 01, 2018	Mar 01, 2020
Insert Name Here Board Seat Title	City Location	Mar 01, 2018	Mar 01, 2020
Insert Name Here Board Seat Title	City Location	Mar 01, 2018	Mar 01, 2020
Insert Name Here Board Seat Title	City Location	Mar 01, 2018	Mar 01, 2020
Insert Name Here Board Seat Title	City Location	Mar 01, 2018	Mar 01, 2020
Insert Name Here Board Seat Title	City Location	Mar 01, 2018	Mar 01, 2020
Insert Name Here Board Seat Title	City Location	Mar 01, 2018	Mar 01, 2020
Insert Name Here Board Seat Title	City Location	Mar 01, 2018	Mar 01, 2020

**BOARD/PROGRAM NAME
FY 2021 Annual Report**

Identification of the Board (continued)

Board Member	Duty Station	Date Appointed	Term Expires
Insert Name Here Board Seat Title	City Location	Mar 01, 2018	Mar 01, 2020
Insert Name Here Board Seat Title	City Location	Mar 01, 2018	Mar 01, 2020
Insert Name Here Board Seat Title	City Location	Mar 01, 2018	Mar 01, 2020
Insert Name Here Board Seat Title	City Location	Mar 01, 2018	Mar 01, 2020
Insert Name Here Board Seat Title	City Location	Mar 01, 2018	Mar 01, 2020
Insert Name Here Board Seat Title	City Location	Mar 01, 2018	Mar 01, 2020
Insert Name Here Board Seat Title	City Location	Mar 01, 2018	Mar 01, 2020
Insert Name Here Board Seat Title	City Location	Mar 01, 2018	Mar 01, 2020

**BOARD/PROGRAM NAME
FY 2021 Annual Report**

Identification of Staff

Insert Name Here – Licensing Examiner

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
(907) 465-2550

Insert Name Here – Licensing Examiner

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
(907) 465-2550

Insert Name Here – Licensing Examiner

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
(907) 465-2550

Insert Name Here – Licensing Examiner

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
(907) 465-2550

Insert Name Here – Licensing Examiner

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
(907) 465-2550

BOARD/PROGRAM NAME
FY 2021 Annual Report

Narrative Statement

FY 2021 Narrative Statement (continued)

BOARD/PROGRAM NAME
Fiscal Year 2021 Annual Report

Budget Recommendations for FY 2022

The Budget Recommendations section anticipates the board’s fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as “other” so they may be tracked appropriately.

Board Meeting Date	Location	# Board	# Staff
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Total Estimated Cost:			\$0.00

Board Meeting Date	Location	# Board	# Staff
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Total Estimated Cost:			\$0.00

Board Meeting Date	Location	# Board	# Staff
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Total Estimated Cost:			\$0.00

BOARD/PROGRAM NAME
Fiscal Year 2021 Annual Report

Budget Recommendations for FY 2022

The Budget Recommendations section anticipates the board’s fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as “other” so they may be tracked appropriately.

Board Meeting Date	Location	# Board	# Staff
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Total Estimated Cost:			\$0.00

Board Meeting Date	Location	# Board	# Staff
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Total Estimated Cost:			\$0.00

Board Meeting Date	Location	# Board	# Staff
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Total Estimated Cost:			\$0.00

BOARD/PROGRAM NAME
Fiscal Year 2021 Annual Report

Budget Recommendations for FY 2022 (continued)

Travel Required to Perform Examinations

Not applicable

Date	Location	# Board	# Staff

Description of meeting and its role in supporting the mission of the Board:

<input type="checkbox"/> Airfare:	\$0.00
<input type="checkbox"/> Hotel:	\$0.00
<input type="checkbox"/> Ground:	\$0.00
<input type="checkbox"/> Conference:	\$0.00
<input type="checkbox"/> Other:	\$0.00

Describe "Other" (break out all sections):

Total Estimated Cost: \$0.00

Out-of-State Meetings and Additional In-State Travel (Rank in order of importance)

#1 Rank in Importance or Not Applicable

Date	Location	# Board	# Staff

Description of meeting and its role in supporting the mission of the Board:

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				

Net Total: \$0.00 \$0.00 \$0.00 \$0.00

Out-of-State Meetings and Additional In-State Travel

#2 Rank in Importance

Date	Location	# Board	# Staff	
Description of meeting and its role in supporting the mission of the Board:				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$0.00	\$0.00	\$0.00	\$0.00

Out-of-State Meetings and Additional In-State Travel

#3 Rank in Importance

Date	Location	# Board	# Staff	
Description of meeting and its role in supporting the mission of the Board:				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$0.00	\$0.00	\$0.00	\$0.00

Out-of-State Meetings and Additional In-State Travel

#4 Rank in Importance

Date	Location	# Board	# Staff	
Description of meeting and its role in supporting the mission of the Board:				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$0.00	\$0.00	\$0.00	\$0.00

Out-of-State Meetings and Additional In-State Travel

#5 Rank in Importance

Date	Location	# Board	# Staff	
Description of meeting and its role in supporting the mission of the Board:				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$0.00	\$0.00	\$0.00	\$0.00

Out-of-State Meetings and Additional In-State Travel

#6 Rank in Importance

Date	Location	# Board	# Staff	
Description of meeting and its role in supporting the mission of the Board:				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$0.00	\$0.00	\$0.00	\$0.00

Out-of-State Meetings and Additional In-State Travel

#7 Rank in Importance

Date	Location	# Board	# Staff	
Description of meeting and its role in supporting the mission of the Board:				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$0.00	\$0.00	\$0.00	\$0.00

BOARD/PROGRAM NAME
Fiscal Year 2021 Annual Report

Budget Recommendations for FY 2022 (continued)

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
		\$0.00

Description of item and its role in supporting the mission of the Board:

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
		\$0.00

Description of item and its role in supporting the mission of the Board:

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
		\$0.00

Description of item and its role in supporting the mission of the Board:

BOARD/PROGRAM NAME
Fiscal Year 2021 Annual Report

Budget Recommendations for FY 2022 (continued)

Other Items with a Fiscal Impact		Cost Per Event:	\$0.00
<input type="checkbox"/> Not Applicable		Number of Events:	0
Product or Service	Provider	Total Cost	
		\$0.00	
Description of item and its role in supporting the mission of the Board:			

Other Items with a Fiscal Impact		Cost Per Event:	\$0.00
<input type="checkbox"/> Not Applicable		Number of Events:	0
Product or Service	Provider	Total Cost	
		\$0.00	
Description of item and its role in supporting the mission of the Board:			

Other Items with a Fiscal Impact		Cost Per Event:	\$0.00
<input type="checkbox"/> Not Applicable		Number of Events:	0
Product or Service	Provider	Total Cost	
		\$0.00	
Description of item and its role in supporting the mission of the Board:			

BOARD/PROGRAM NAME
Fiscal Year 2021 Annual Report

Budget Recommendations for FY 2022 (continued)

Other Items with a Fiscal Impact		Cost Per Event:	\$0.00
<input type="checkbox"/> Not Applicable		Number of Events:	0
Product or Service	Provider	Total Cost	
		\$0.00	
Description of item and its role in supporting the mission of the Board:			

Other Items with a Fiscal Impact		Cost Per Event:	\$0.00
<input type="checkbox"/> Not Applicable		Number of Events:	0
Product or Service	Provider	Total Cost	
		\$0.00	
Description of item and its role in supporting the mission of the Board:			

Summary of FY 2022 Fiscal Requests	
Board Meetings and Teleconferences:	\$0.00
Travel for Exams:	\$0.00
Out-of-State and Additional In-State Travel:	\$0.00
Dues, Memberships, Resources, Training:	\$0.00
Total Potential Third-Party Offsets:	-\$0.00
Other:	\$0.00
Total Requested:	\$0.00

BOARD/PROGRAM NAME
Fiscal Year 2021 Annual Report

Legislation Recommendations Proposed Legislation for FY 2022

No Recommendations

The Board has no recommendations for proposed legislation at this time.

Recommendations

The Board has the following recommendations for proposed legislation:

BOARD/PROGRAM NAME
Fiscal Year 2021 Annual Report

Legislation Recommendations Proposed Legislation for FY 2022 *(Continued)*

BOARD/PROGRAM NAME
Fiscal Year 2021 Annual Report

Regulation Recommendations Proposed Legislation for FY 2022

No Recommendations

The Board has no recommendations for proposed regulations at this time.

Recommendations

The Board has the following recommendations for proposed regulations:

BOARD/PROGRAM NAME
Fiscal Year 2021 Annual Report

Regulation Recommendations Proposed Legislation for FY 2022 *(Continued)*

BOARD/PROGRAM NAME
Fiscal Year 2021 Annual Report

Goals and Objectives

Part I

FY 2021's goals and objectives, and how they were met:

BOARD/PROGRAM NAME
Fiscal Year 2021 Annual Report

Goals and Objectives (continued)

Part I (continued)

FY 2021's goals and objectives, and how they were met:

BOARD/PROGRAM NAME
Fiscal Year 2021 Annual Report

Goals and Objectives

Part II

**FY 2022's goals and objectives, and proposed methods to achieve them.
Describe any strengths, weaknesses, opportunities, threats and required resources:**

BOARD/PROGRAM NAME
Fiscal Year 2021 Annual Report

Goals and Objectives (continued)

Part II (continued)

FY 2022's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

BOARD/PROGRAM NAME
Fiscal Year 2021 Annual Report

Sunset Audit Recommendations

Date of Last Legislative Audit:
Board Sunset Date:

Audit Recommendation:

Action Taken:

Next Steps:

Date Completed:

Audit Recommendation:

Action Taken:

Next Steps:

Date Completed:

Sunset Audit Recommendations (continued)

Audit Recommendation:
Action Taken:
Next Steps:
Date Completed:

Audit Recommendation:
Action Taken:
Next Steps:
Date Completed:

Audit Recommendation:
Action Taken:
Next Steps:
Date Completed:

Sunset Audit Recommendations (continued)

Audit Recommendation:
Action Taken:
Next Steps:
Date Completed:

Audit Recommendation:
Action Taken:
Next Steps:
Date Completed:

Audit Recommendation:
Action Taken:
Next Steps:
Date Completed:

Narrative Statement

2020 Board of Massage Therapy Annual Report

The State of Alaska Board of Massage Therapists licensing program has developed from the status of a new program to an established licensing program. The initial significant regulatory obligations have been satisfactory met. The board can anticipate adjustments to the regulatory framework as the massage professional continues its evolution over time. The board continues to partner with the division of professional licensing to improve efficiency in application processing to reduce program costs and decrease application processing time.

This Board has been a successful team of experts in the massage therapy profession that have serve Alaska in the licensing of safe and competent massage therapists. This board does anticipate the upcoming turnover of its volunteer members as three of the remaining senior board members will have termed out by March of 2022. The board has partnered with the division of professional licensing to discuss board training and transition strategies. The Board wishes to make their knowledgebase and experience as available as possible as the board of massage therapists continues to develop over time.

The Board of Massage Therapist General Licensing Data

The Board of Massage Therapists program has a total of xxxx license with xxx new licenses approved in 2020 and XXX new licenses approved in 2021. There was a total of xxxlicenses renewed in 2020.

COVID-19 Board Action

The board worked through the challenges the COVID-19 pandemic in 2020. As the first board to adopt guidance of best practices for health and safety compliance in the massage profession, the board remained dedicated to updating this guidance, as necessary. The board worked to maintain communication with the licensed massage therapists as the pandemic evolved.

The board chair attended bi-weekly virtual meetings of boards chairs representing health care boards to discuss the challenges of the COVID-19 pandemic. This information was important for all parties in collaborative work to develop a consensus of understandings as many licensed health care providers work in parallel of each other.

Massage Establishment Regulations

Massage establishment regulations were adopted by the office of the governor to finalize the initial regulatory obligations of the bord. Regulations included to reflect registration fee as per 12.AAC 396 and investigative fee as per 12 AAC 79.930(b).

Currently 7 massage establishments have been registered.

Distance Education Accreditation

The board adopted acceptance of two distance accreditation bodies. The Distance Education Accreditation Commission and the 195 Council on Higher Education Accreditation are approved by the board as accrediting bodies for massage therapy distance education programs.

Continued Education and Parallel Professions

The board determined that it was important to increase the available of continued education opportunities for licensed massage therapists. This action allows a licensed massage therapist to attend a course relevant to massage therapy that is presented by a health care provider that practices parallel to a massage therapist. It was approved by the board to accept continued education course provided by licensed parallel professions that are within the scope of practice for massage therapy. A written explanation of the applicability to the practice of massage therapy as per 08.61.100 is required upon renewal.

Vice chair election

Jill Motz was established by the board as the vice-chair of the board of massage therapists.

FSMTB Membership and Annual Meeting

Jill Motz attended a virtual FSMTB meeting to represent the board as a delegate to vote on resolutions that impact the by-laws of the FSMTB.

Board Transition to New Members

This board does expect a turnover of its volunteer members of three of the remaining senior board members will have termed out by March of 2022. The board is partnering with the division of professional licensing to adopt training, orientation and mentoring strategies to ease the transition to effectively serving on the board.

Budget Recommendations for FY 2021

FSMTB MEMBERSHIP - \$951.00

Description of item and its role in supporting the mission of the Board:

The Alaska Board of Massage Therapists continues to benefit from its annual membership to the Federation of State Massage Therapy Boards. The Alaska Board of Massage Therapists recognizes the exceptional value of the FSMTB as a resource of research, education, and support for member boards given the small membership fee of \$1000. The board recognizes that the costs that the board would incur in these services would be extraordinarily expensive and or unachievable. The FSMTB provides services that currently serve to the Board of Massage Therapists goals and objectives as we look forward to 2022.

- Annual Meeting for board delegates is 100% 3rd party booked/reimbursed. The annual meeting costs for October 2019 were approximately \$2684.00. (2020 meeting cancelled due to COVID-19)
- The annual FSMTB Executive Summit for the administrative staff is 100% 3rd party booked/reimbursed. The last Executive Summit meeting cost for April 2019 were approximately \$2311.00 (April 2020 was cancelled due to COVID-19).
- The FSMTB provides the only comprehensive list of current and historical knowledge of 48 state's licensing requirements. Recently I contacted the State of Colorado for their 2014 statutes and regulations so I could ensure an applicant met Alaska's statutory requirements for licensure (AS 08.61.030). Colorado did not have/would not provide them but FSMTB had them to me within 24 hours of my request.
- The FSMTB provides the only comprehensive list of contact information for the 48 states that are members. This information is invaluable when trying to obtain license verification information that has been left off of online verifications or mailed verifications requested and paid for by the applicant.

FSMTB has developed the *Massage Therapy Licensing Database* (MTLD), to provide a comprehensive view of massage therapists regulated in the United States, to facilitate the role of public protection among state licensing boards and agencies, and to support licensure portability. This service is an integral component for reducing fraud in the licensure process by allowing board staff access to therapist records which will show disciplinary actions taken by other jurisdictions. The uploading of data into this system began in 2019 and states incur zero financial burden for participating in this service. (Was presented to Division in 2018 but was denied because the resources were not available in IT)

FSMTB ANNUAL MEETING ADDITIONAL NEW BOARD MEMBER PARTICIPATION - \$2600

The board of massage therapists anticipates a turnover of its volunteer members as three of the remaining senior board members will have termed out by March of 2022. The board focuses on the objective of transitioning new board members to effectively meet the roles and responsibilities. The FSMTB annual meeting provides educational opportunities and collaborative problem solving with board members nationwide. The attendance of both a senior board member and a junior board member meets the board's new member transition goals.

Regulation Recommendations Proposed Legislation for FY 2021

Transcript Analysis Form

The board evaluates transcripts to determine an applicant's education has met the minimum competencies required to practice. The variability of curriculum has resulted in the need for a transcript analysis form during this verification process. The board determined that the completion of this document in the application process expedites the licensing process by providing clarity in the transcript analysis process. The board will seek regulation project to make the completion of this document a requirement in the application process.

GOALS AND OBJECTIVE

Part I

FY 2020s goals and objectives, and how they were met:

Objective: Establishment Registration Program and Compliance Checks

The Board partnered with Investigations team to develop compliance check lists consistent with regulation to assist in onsite establishment compliance checks.

Part II

FY 2020's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

Board Transition to New Members

This board does anticipate the upcoming turnover of its volunteer members as three of the remaining senior board members will have termed out by March of 2022. The board has partnered with the division of professional licensing to discuss board training and transition strategies. The Board wishes to make their knowledgebase and experience as available as possible as the board of massage therapists continues to develop over time. These strategies will include additional training resource documents, mentored orientation with a senior board member and in person attendance of the FSMTB annual meeting with a senior board member.

Transcript Analysis

The board evaluates transcripts to determine an applicant's education has met the minimum competencies required to practice. The variability of curriculum has resulted in the need for a transcript analysis form during this verification process. The board determined that the completion of this document in the application process expedites the licensing process by providing clarity in the transcript analysis process. The board will seek regulation project to make the completion of this document a requirement in the application process.

In Person Town Hall Meeting

Budget Recommendations / Out-of-State Meetings and Additional In-State Travel

FSMTB Annual Meeting

Annual meeting of board delegates and staff to discuss vital issues in the industry such as identifying fraudulent applications in the massage therapy profession, massage education standards, establishments, active participation in the direction and policy of the Federation, state regulations, and human trafficking. FSMTB pays for one board delegate through direct booking and 3rd party Reimbursement and offers discounted room rate for any other attendees. All costs for 2nd person to attend would be paid by the board. Breakout sessions make it important that 1 senior board member and 1 junior board member attend.

FSMTB Executive Summit

FSMTB Executive Summit is for massage board administrative staff. It's goal is the education of staff on topics such as application fraud, license verification, human trafficking, continuing education, MBLEx testing standards, state approvals for schools, and group activities which include breakout sessions. The Executive Summit is 100% paid for by 3rd party direct booking

and 3rd party reimbursement.

FSMTB MBE Summit

FSMTB also offers a Member Board Executive Summit, designed for Executive Directors and Senior Staff to meet and discuss issues and solutions relevant to massage regulation. Again, the FSMTB covers expenses for one staff member to attend the MBE Summit, with discounts for additional members to attend. The annual FSMTB Executive Summit for the administrative staff is 100% 3rd party booked/reimbursed. The last Executive Summit meeting cost for April 2019 were approximately \$2311.00.

FSMTB Information

The FSMTB provides the only comprehensive list of current and historical knowledge of 48 state's licensing requirements. Recently I contacted the State of Colorado for their 2014 statutes and regulations so I could ensure an applicant met Alaska's statutory requirements for licensure (AS 08.61.030). Colorado did not have/would not provide them but FSMTB had them to me within 24 hours of my request.

The FSMTB provides the only comprehensive list of contact information for the 48 states that are members. This information is invaluable when trying to obtain license verification information that has been left off of online verifications or mailed verifications requested and paid for by the applicant.

The Federation of Associations of Regulatory Boards (FARB)

This Forum is a conference that brings together experts from across the country to discuss the latest developments in professional regulation. It is billed as an educational program that delivers the tools and information needed to ensure the efficient and effective operation of state regulatory boards and includes sessions related to administering state professional licensing boards. In the January 2019 Forum, board staff found valuable information on how to handle de-regulation, how to justify to the public that board's and staff are necessary, and valuable information on potential ways for the board to pre-screen applicants with criminal history (at their request) to determine if they can practice completely and safely.

Massage Therapy Licensing Database (MTLD)

FSMTB has developed the **Massage Therapy Licensing Database (MTLD)**, to provide a comprehensive view of massage therapists regulated in the United States, to facilitate the role of public protection among state licensing boards and agencies, and to support licensure portability. This service is an integral component for reducing fraud in the licensure process by allowing board staff access to therapist records which will show disciplinary actions taken by other jurisdictions. The uploading of data into this system began in 2019 and states incur zero financial burden for participating in this service. (Was presented to Division in 2018 but was denied because the resources were not available in IT)

Annual In-State In person Meeting

The board has identified a significant value in holding a yearly in person town hall forum to address questions presented by the public regarding the board of massage therapy. This forum provides

valuable feedback to the boards goals of objective to continue to improve the application process and it's knowledge of the massage profession as it pertains to Alaska.

Legislation Recommendations Proposed Legislation for FY2021

Unfair Discrimination Sec. 21.36.090